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STATUTES

OF THE

PROVINCE OF ONTARIO

PASSED IN THE SESSION HELD IN THE

Twenty-Second Year of the Reign of His
Majesty KING GEORGE V

Being the Third Session of the Eighteenth
Legislature of Ontario

1932

BEGUN AND HOLDEN AT TORONTO ON THE TENTH DAY OF FEBRUARY
IN THE YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED
AND THIRY-TWO




267202
23. 4. 32

ONTARIO

THE RIGHT HONOURABLE SIR WILLIAM MULOCK, K.C.M.G.,
ADMINISTRATOR

TORONTO



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22 GEORGE V

CHAPTER 1.

An Act for granting to His Majesty certain sums of money for the Public Service of the financial year ending on the 31st day of October, 1932, and for the Public Service of the financial year ending the 31st day of October, 1933.

Assented to March 29th, 1932.

MOST GRACIOUS SOVEREIGN:

WHEREAS it appears by message from The Right Honourable Sir William Mulock, K.C.M.G., Administrator of the Province of Ontario, and the estimates accompanying the same, that the sums hereinafter mentioned in the schedules to this Act are required to defray certain expenses of the public service of this Province, not otherwise provided for, for the financial year ending the 31st day of October, 1932, and for the financial year ending the 31st day of October, 1933, and for other purposes connected with the public service; May it therefore please Your Majesty that it may be enacted, and it is hereby enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, as follows:

1. From and out of the Consolidated Revenue Fund of this Province, there may be paid and applied a sum not exceeding in the whole Five million three hundred and sixty-six thousand one hundred and sixty-eight dollars towards defraying the several charges and expenses of the public service of this Province, not otherwise provided for, from the 1st day of November, 1931, to the 31st day of October, 1932, as set forth in schedule "A" to this Act. \$5,366,168.00
granted for
year ending
31st October,
1932.

2. From and out of the Consolidated Revenue Fund of this Province, there may be paid and applied a sum not exceeding in the whole Thirty-seven million five hundred and ninety-one thousand nine hundred and thirty-two dollars and fifty cents towards defraying the several charges and expenses of the public service of this Province, not otherwise provided for, from the 1st day of November, 1932, to the 31st day of October, 1933, as set forth in schedule "B" to this Act. \$37,591,932.50
granted for
fiscal year
1932-33.

3.

Accounts
to be laid
before
Assembly.

3 Accounts in detail of all moneys received on account of this Province during the said financial year 1931-1932, and of all expenditures under schedule "A" of this Act, shall be laid before the Legislative Assembly at its first sitting after the completion of the said period; and accounts in detail of all moneys received on account of this Province during the financial year 1932-33 and of all expenditures under schedule "B" of this Act shall be laid before the Legislative Assembly at the first sitting after the completion of the said financial year.

Appropriations for
1931-32
unexpended
to lapse.

4. Any part of the money under schedule "A" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the 31st day of October, 1932, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances remaining unexpended after the said date or at such subsequent date as may be fixed by the Lieutenant-Governor in Council under the provisions of *The Audit Act* shall lapse and be written off.

Appropriations for
1932-33
unexpended
to lapse.

5. Any part of the money under schedule "B" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the 31st day of October, 1933, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances remaining unexpended after the said date or after a date fixed by the Lieutenant-Governor in Council as mentioned in section 4 shall lapse and be written off.

Account-
ing for
expenditure.

6. The due application of all moneys expended under this Act out of the Consolidated Revenue shall be accounted for to His Majesty.

Commence-
ment of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

Sums granted to His Majesty by this Act for the financial year ending on the thirty-first day of October, one thousand nine hundred and thirty-two, to defray expenses of:

Attorney-General's Department..	\$34,640.00
Education Department.....	1,582,900.00
Lands and Forests Department..	8,125 00
Mines Department.....	1,329.63
Game and Fisheries Department..	69,900.00

Public Works Department.....	\$1,231,017.87
Highways Department.....	33,825.00
Health Department.....	219,900.00
Labour Department.....	33,041.50
Public Welfare Department.....	2,072,000.00
Provincial Treasurer's Department	46,075.00
Provincial Secretary's Department	5,825.00
Agriculture Department.....	30,524.00
Miscellaneous.....	66,345.00

Total estimates for expenditure of 1931-

1932..... \$5,366,168.00

SCHEDULE "B"

Sums granted to His Majesty by this Act for the financial year ending on the thirty-first day of October, one thousand nine hundred and thirty-three, to defray expenses of:

Lieutenant-Governor's Office.....	\$6,450.00
Prime Minister's Department....	3,244,050.00
Legislation.....	357,000.00
Attorney-General's Department..	2,468,330.00
Insurance Department.....	66,125.00
Education Department.....	8,262,622.00
Lands and Forests Department..	2,292,515.00
Northern Development Depart- ment.....	641,450.00
Mines Department.....	357,100.00
Game and Fisheries Department..	692,975.00
Public Works Department.....	1,084,810.00
Highways Department.....	633,775.00
Health Department.....	7,245,725.00
Labour Department.....	415,741.50
Public Welfare Department.....	4,758,950.00
Provincial Treasurer's Department	583,700.00
Provincial Auditor's Office.....	101,325.00
Provincial Secretary's Depart- ment.....	1,281,130.00
Agriculture Department.....	2,532,159.00
Miscellaneous.....	566,000.00

Total estimates for expenditure of 1932-

1933..... \$37,591,932.50

CHAPTER 2.

The Ontario Loan Act, 1932.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Ontario Loan Act, 1932*.

Loan of
\$40,000,000
authorized.

2. The Lieutenant-Governor in Council is hereby authorized to raise by way of loan a sum of money not exceeding forty million dollars (\$40,000,000) for all or any of the purposes following, that is to say: For the public service, for works carried on by commissioners on behalf of Ontario, for the covering of any debt of Ontario on open account, for paying any floating indebtedness of Ontario and for the carrying on of the public works authorized by the Legislature.

Terms to be
fixed by
Lieutenant-
Governor.

3. The aforesaid sum of money may be borrowed for any term or terms not exceeding forty years, at such rate as may be fixed by the Lieutenant-Governor in Council and shall be raised upon the credit of the Consolidated Revenue Fund of Ontario, and shall be chargeable thereupon.

Sinking
fund.

4. The Lieutenant-Governor in Council may provide for a special sinking fund with respect to the issue herein authorized, and such sinking fund may be at a greater rate than the one-half of one per centum per annum specified in subsection 2 of section 3 of *The Provincial Loans Act*.

Rev. Stat.,
c. 23.

Commence-
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 3.

An Act to appropriate \$5,000,000 for Northern Development Purposes.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Northern Ontario Appropriation Act, 1932.* Short title.

2. In addition to the amounts provided by the *Northern Ontario Appropriation Acts* heretofore enacted, there shall be set apart out of the Consolidated Revenue Fund the sum of \$5,000,000 and the same shall be applied for the purposes set out in *The Northern Development Act* and in *The Returned Soldiers' and Sailors' Land Settlement Acts*, or any of them. Additional Appropriation of \$5,000,000.
Rev. Stat., c. 36; 1917, c. 13; 1919, c. 15.

3. The Lieutenant-Governor in Council may place to the credit of the said funds such additional sum or sums as may be required to meet payments, which may be authorized to be met out of the said fund and for the purposes set out in the said Acts or any of them. When additional sums required.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 4.

An Act respecting Unemployment Relief.

Assented to March 29th, 1932.

Preamble.

WHEREAS under and by virtue of an agreement entered into the 6th day of November, A.D. 1931, between the Honourable Gideon D. Robertson, Minister of Labour, acting on behalf of the Government of Canada, and the Honourable J. D. Monteith, Minister of Public Works and Labour for the Province of Ontario, acting on behalf of the Province of Ontario, certain measures were adopted for the relief of unemployment conditions in Ontario; and whereas it is expedient that legislative sanction be given to the said measures;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Unemployment Relief Act (Ontario)*, 1932.

Agreement
between
Dominion
and
Province
validated.

2. The agreement set out in schedule "A" made between the Honourable Gideon D. Robertson, Minister of Labour, on behalf of the Government of Canada, and the Honourable J. D. Monteith, Minister of Public Works and Labour for the Province of Ontario, on behalf of the Government of Ontario, is declared to be valid and binding and the Government of Ontario shall be deemed to have been since the said date authorized to do all things, make all appropriations and enter into all agreements authorized and required to carry out the said agreement.

Order-in-
Council
confirmed.

3. The Order-in-Council approved by the Honourable the Lieutenant-Governor and dated the 10th day of September, A.D. 1931, a copy of which is set out in schedule "B" to this Act, is confirmed and shall be deemed to be valid and binding.

Agreements
with muni-
cipalities
confirmed.

4.—(1) Every agreement heretofore or hereafter entered into between the Government of the Province of Ontario, represented by the Minister of Public Works and Labour, and any municipal corporation in the form or to the effect set out in schedule "C," shall be deemed to be valid and binding to all intents and purposes.

(2) Where a municipal corporation has heretofore entered into or shall hereafter enter into any such agreement with the Government of the Province of Ontario the corporation may issue debentures to defray the cost to the corporation of any work undertaken in pursuance of the agreement, and it shall not be necessary to obtain the assent of the electors to the by-law for the issue of such debentures nor to observe the other formalities with respect to any such by-law prescribed by *The Municipal Act*, but no such by-law shall be finally passed by the municipal council until the form of the by-law, the amount and term of the debentures to be issued under it and the work for which the same are to be issued have been approved by order of the Ontario Municipal Board and after such approval the debentures shall conclusively be deemed to be legal, valid and binding upon the municipal corporation and the ratepayers thereof.

Issue of debentures without assent of electors.

Rev. Stat., c. 233.

(3) An agreement entered into under this section may include works constructed or to be constructed as local improvements.

Local improvement works.

(4) Any by-law referred to in subsection 2 passed with the approval of the Ontario Municipal Board may with the like approval be amended by the corporation by which it was passed, and the provisions of subsection 2 shall apply to any such amended by-law and to any debentures to be issued thereunder.

Amendment of by-laws.

5.—(1) For the purpose of carrying out the obligations set out in the said agreement of the 6th day of November, A.D. 1931, there shall be set aside out of the Consolidated Revenue Fund and applied such sums from time to time as the Lieutenant-Governor in Council may direct, for relief works for the purpose of providing employment, and for the purpose of providing direct relief.

Appropriation for relief of unemployment.

(2) The provisions of subsection 1 shall be construed as if the same had been in force and taken effect on and from the 1st day of September, 1931.

Effective date of subsection 1.

6. This Act shall apply to the work of extension of the Freeport Sanatorium undertaken by the corporations of the county of Waterloo and the cities of Kitchener and Galt with the approval of the Government of Ontario as a work for the relief of unemployment and each of the said corporations may issue debentures to defray its respective share of the cost of the said work in accordance with the provisions of section 4.

Freeport Sanatorium.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

SCHEDULE "A."

Indenture of Agreement entered into this 6th day of November
A.D. 1931

BETWEEN

The Government of the Dominion of Canada (hereinafter called
the "Dominion"), represented herein by the Honourable Gideon
D. Robertson, Minister of Labour,

of the first part;

—and—

The Government of the Province of Ontario (hereinafter called
the "Province"), represented herein by the Honourable J. D.
Monteith, Minister of Public Works and Labour,

of the second part.

WHEREAS the Unemployment and Farm Relief Act, 1931, provides
that there may be paid out of the Consolidated Revenue Fund such
moneys as the Governor in Council in his discretion may deem expedient
to expend for relieving distress, providing employment and maintaining
within the competence of Parliament, peace, order and good govern-
ment throughout Canada;

AND WHEREAS under the general regulations established by
Order of His Excellency the Governor-General in Council, dated
August 18th, 1931 (P.C. 2043), copy of which is hereto attached marked
"A," the Minister of Labour is empowered to enter into an agreement
with the government of any province for the purpose of supporting and
supplementing the relief measures of the Province and Municipalities
thereof.

AND WHEREAS the Province desires to enter into an agreement
under the provisions of the general regulations aforementioned.

NOW THEREFORE it is mutually agreed by and between the
parties hereto as follows:—

1. The Dominion shall pay to the Province for remittance to any
Municipality within the provincial territory such proportion of the
expenditures of the Municipality for "direct relief" (as hereinafter defined)
where suitable work cannot be provided for the unemployed, as may be
agreed upon between the Province and the Dominion.

2. The Province shall pay to the Municipality an amount equal to
that contributed by the Dominion for "direct relief," or such other pro-
portion of the expenditures of the Municipality as may be agreed upon.

3. The Dominion shall pay to the Province fifty per centum of the
expenditures made by the Province for "direct relief" in provincial terri-
tory where no Municipalities are established and where suitable work
cannot be provided for the unemployed.

4. Contributions by the Dominion towards "direct relief" are to be
made only after the submission by the Province of evidence satisfactory
to the Minister of Labour that a serious unemployment situation exists
in a designated locality and suitable work for the unemployed cannot be
provided therein.

5. In this agreement, "direct relief" means necessary food, clothing,
fuel and shelter, or the equivalent thereof.

6. The Dominion shall pay to the Province for remittance to any
Municipality such proportion of the cost of construction of municipal
works and undertakings carried out to provide work for the unemployed,

as may be agreed upon between the Province and the Dominion; but the proportion of the cost of any such municipal works and undertaking to be borne by the Dominion shall not exceed twenty-five per centum thereof, unless, by reason of the financial conditions of the Municipality, the assumption by the Dominion of a greater proportion of the cost of such works and undertakings is specifically authorized by the Governor-General in Council; and the balance of such cost shall be borne by the Province and the Municipality in such proportions as may be agreed upon.

7. Such contributions by the Dominion and Province, respectively, towards the cost of municipal works and undertakings are to be made only after the submission by the Municipality concerned of evidence satisfactory to the Province and the Minister of Labour that a serious unemployment situation exists in such Municipality.

8. The Dominion shall pay to the Province fifty per centum of the cost of such public works and undertakings as may be carried on by the Province to provide suitable work for the unemployed.

9. The Dominion shall pay to the Province forty per centum of any amount expended by the Province on provincial highways.

10. The Dominion shall pay to the Province fifty per centum of the amount hereafter expended by the Province on such highways, now existing or to be constructed, as may become part of the Trans-Canada Highway.

The expression "Trans-Canada Highway" means in relation to the Province, such provincial highways affording a continuous route connecting the Province with any other or others of the provinces, as may be designated by the Province and approved by the Dominion.

11. Contributions by the Dominion towards the cost of public works, undertakings and highways referred to in sections 8, 9, and 10 hereof, are to be made only after submission by the Province of evidence satisfactory to the Minister of Labour that a serious unemployment situation exists.

12. The Province agrees to submit to the Dominion for approval by the Minister of Labour, from time to time, a schedule or schedules setting forth a list of the public works and undertakings proposed to be carried on by the Province and Municipalities under the provisions of clauses 6, 8, 9, and 10 hereof and also setting forth the proportions of the expenditures in respect of such public works and undertakings to be borne by the Dominion and the Province respectively; and such schedules, when approved, shall become part of this agreement as if originally incorporated therein.

13. All public works and undertakings to which contributions may be made under the provisions of clauses 6, 8, 9, and 10 of this agreement, are to be carried on from the date of their commencement to the date of their completion, which latter date shall not be later than the 1st day of May, 1932.

14. A maximum work day of eight hours shall prevail on works and undertakings carried on under this agreement, unless a modification of this requirement is previously agreed to by the Minister of Labour; fair and reasonable rates of wages shall be paid by the Province and Municipalities, but such rates shall not be in excess of the rates required to be paid by the Federal Government for the character or class of work in the district; only goods and materials of Canadian manufacture or production, if available, shall be used; contracts shall be let only to *bona fide* Canadian construction firms established and operating in Canada prior to January 1st, 1931; and of the amounts expended pursuant to the provisions of clauses 6, 8, 9, and 10 hereof not less than forty per centum thereof shall be expended for labour unless a modification of this requirement is previously agreed to by the Minister of Labour.

15. All persons employed on the works or undertakings referred to herein shall be residents of Canada and, so far as practicable, of the locality in which the work is being performed, and in no case shall discrimination be made or permitted in the employment of any persons by reason of their political affiliation, race or religious views.

16. Statements of accounts for expenditures made by the Province and Municipalities, for direct relief or for public works and undertakings, pursuant to the provisions of this agreement shall be submitted by the Province to the Minister of Labour accompanied by a certificate of the appropriate provincial authority that expenditures have been duly made in accordance with such statements; and such statements and certificates shall be in the form prescribed by the Minister of Labour.

17. The Province and Municipalities shall each bear their own expenses of administration in connection with any measures for the relief of unemployment undertaken pursuant to this agreement, and no portion of such expenses of administration shall be included in any statement of account rendered pursuant to this agreement or paid by the Dominion.

18. The Minister of Labour may at any time call upon the Province to furnish such information as he may require in relation to statements of accounts rendered by the Province or Municipalities.

19. The Minister of Labour may at any time direct an inspection in connection with any measures for the relief of unemployment carried out pursuant to this agreement.

IN WITNESS WHEREOF the Honourable Gideon D. Robertson, Minister of Labour, has hereunto set his hand on behalf of the Dominion of Canada and the Honourable J. D. Monteith, Minister of Public Works and Labour, has hereunto set his hand on behalf of the Province of Ontario.

Signed on behalf of the Government
of Canada by Honourable
Gideon D. Robertson,
Minister of Labour,
in the presence of J. A. Ellis.

G. D. ROBERTSON.

Signed on behalf of the Province of
Ontario by the Honourable
J. D. Monteith, Minister of
Public Works and Labour,
in the presence of J. A. Ellis.

J. D. MONTEITH

SCHEDULE "B."

Order-in-Council approved by the Honourable The Lieutenant-Governor, dated the 10th day of September, A.D. 1931.

Upon the recommendation of The Minister of Public Works and Labour, the Committee of Council advise that the following regulations for the administration of the Unemployed Relief Fund be approved:—

1. Except where the context otherwise requires, in this Order-in-Council the expression "Minister" means the Minister of Public Works and Labour.

2. There may be paid from the Consolidated Revenue Fund such moneys as may be deemed expedient to relieve distress and provide employment.

3. The Minister may enter into an agreement with the Government of the Dominion, or with any Minister of such Government duly authorized for that purpose, for the payment by the Dominion to the Province of the following expenditures in such proportions as may be agreed upon:—

- (a) Direct Relief by municipalities.
- (b) Direct Relief by the Province where no municipal Government exists.
- (c) Grants to municipalities for municipal work and undertakings.
- (d) Provincial public works, improvements, and other undertakings.

4. The Minister may enter into an agreement with any municipality for the payment by the Ontario Government of such proportion of the expenditures of such municipality for direct relief as may be agreed upon between the municipality and the Province and approved by the Minister, in addition to the proportion which will be assumed and paid by the Dominion Government.

5. The Minister may enter into an agreement with any municipality for the payment to such municipality by the Government of Ontario of a proportion of the cost of such municipal works and undertakings as may be carried out pursuant to such agreement to provide work for the unemployed, in addition to the proportion of the said cost which will be assumed and paid by the Dominion Government.

6. The expression "direct relief" in sections 3 and 4 hereof means food, clothing, fuel, and shelter, or such payment in lieu thereof as may be determined by the municipal authorities and approved by the Minister.

7. As the success of the relief measures under this Order-in-Council will largely depend upon the fair and equitable distribution of opportunities for employment and payment of reasonable rates of wages, the Government will require that a maximum work day of eight hours shall prevail on works and undertakings carried on under the provisions hereof unless a modification of this requirement is previously agreed to by the Dominion Minister of Labour. Municipal authorities may fix rates of wages to be paid provided such rates be fair and reasonable and not in excess of the rates required to be paid by the Dominion Government for the character or class of work in the district. If available goods and materials of Canadian manufacture or production shall be used and contracts shall be let only to bona-fide Canadian Construction firms established and operating in Canada prior to January 1st, 1931.

8. No grants shall be made for any municipal works and undertakings unless such works and undertakings involve a minimum expenditure for labour of forty per cent. of the total cost of such works and undertakings.

9. All agreements with municipal authorities shall contain a provision to the effect that all persons employed on the works or undertakings referred to herein shall be residents of Ontario, and so far as practicable of the locality in which the work is being performed, and in no case shall discrimination be made or permitted in the employment of, or in the granting of direct relief to any British subjects by reason of their political affiliation, race or religious views.

10. Statements of account for expenditures for direct relief or for public works and undertakings made under the provisions of this Order-in-Council shall be rendered monthly in duplicate accompanied by a certificate of the appropriate municipal authority that expenditures have been duly made in accordance with such statements.

11. No costs of administration or for the purchase of equipment shall be included in the accounts to be rendered under section 10 hereof.

12. The Minister may at any time call upon any municipality to furnish such information as he may require in relation to statements of account rendered by the municipalities.

13. The Minister shall have power to direct an inspection in connection with any matters for the relief of unemployment carried out pursuant to agreements made with municipalities under the provisions of this Order-in-Council.

14. The administration of this Order-in-Council shall be vested in the Minister of Public Works and Labour, the Minister of Mines, the Minister of Lands and Forests, the Minister of Agriculture, and the Minister of Highways, and they shall be an Advisory Committee on expenditures to be made under this Order-in-Council. The Minister of Public Works and Labour shall be the Chairman of such Advisory Committee.

15. J. A. Ellis, Director of the Bureau of Municipal Affairs, is hereby appointed Secretary of such Advisory Committee, and he and the staff of such Bureau shall perform such duties under the direction of the Minister as may be required to carry out the provisions of this Order-in-Council.

16. The expenses of administration of the provisions of this Order-in-Council by the Province, including the salaries of temporary employees, shall be paid out of the Consolidated Revenue Fund.

17. All payments hereby authorized shall be made from the moneys appropriated by special warrant or the Legislature on the certificate of the Secretary of such Advisory Committee, countersigned by the Minister.

SCHEDULE "C."

Agreement made the _____ day of _____ 193

BETWEEN

The Government of the Province of Ontario, represented by the Minister of Public Works and Labour, hereinafter called "the Province,"
of the first part;

and the Municipal Corporation of the _____
hereinafter called "the Corporation,"
of the second part.

WHEREAS the Dominion of Canada and the Province have entered into an agreement to jointly provide certain funds for unemployment relief.

AND WHEREAS the Minister of Public Works and Labour has, by Order-in-Council approved by the Honourable the Lieutenant-Governor on the day of _____, 1931, been authorized to enter into an agreement with any Municipality for the payment to such Municipality by the Province, of certain moneys to assist in unemployment relief.

NOW THIS AGREEMENT WITNESSETH:

1. The Province will pay to the Corporation, one-third of the expenditures of the Corporation for direct relief, in addition to one-third to be paid by the Dominion Government.

2. The Province will also pay to the Corporation, twenty-five per cent. of the cost of public works and undertakings hereinafter set out, such works and undertakings being necessary to provide suitable work for the unemployed, in addition to twenty-five per cent. of the said cost to be paid by the Dominion Government. Fifty per cent. of the said cost is to be assumed and borne by the Corporation. Such public works and undertakings are as follows:

Provided,

Provided, however, that neither the Province nor the Dominion Government will pay any amount in excess of \$ each.

3. Statements of account for expenditures by the Corporation under the provisions of this agreement for direct relief, or for public works and undertakings, shall be rendered monthly in duplicate, accompanied by a certificate of the appropriate municipal authority that expenditures have been duly made in accordance with such statements. No costs of administration, or for the purchase of equipment, shall be included in such accounts.

4. The Corporation shall at any time furnish such information as may be required by the Province in relation to statements of account rendered by the Corporation.

5. The Province may direct an inspection in connection with any matters for the relief of unemployment carried out pursuant to this agreement.

6. The expression "direct relief" in paragraphs 1, 3, 9 and 10, of this agreement means food, clothing, fuel and shelter, or such payment in lieu thereof, as may be determined by the Corporation and approved by the Minister of Public Works and Labour for Ontario.

7. The maximum work day of eight hours shall prevail on works and undertakings carried on under this agreement, unless the modification of this requirement is previously agreed to by the Dominion Minister of Labour. Fair and reasonable rates of wages shall be paid by the Corporation, but such rates shall not be in excess of the rates required to be paid by the Dominion Government for the character or class of work in the district. Only goods and materials of Canadian manufacture or production, if available, shall be used, and contracts shall be let only to bone-fide Canadian construction firms, established and operating in Canada prior to January 1st, 1931.

8. The Corporation agrees that all the public works and undertakings mentioned in paragraph two of this agreement will involve a minimum expenditure for labour of forty per cent. of the total cost of such works and undertakings, unless a modification of this requirement is previously agreed to by the Dominion Minister of Labour.

9. All persons employed upon the works or undertakings referred to in this agreement shall be residents of Ontario, and as far as practicable of the locality in which the work is being performed, and in no case shall discrimination be made or permitted in the employment of any British subjects by reason of their political affiliation, race or religious views.

10. No payment will be made by the Province in respect of expenditures made by the corporation after 31st March, 1932, for direct relief or on account of the public works and undertakings hereinbefore set out.

IN WITNESS whereof the Minister of Public Works and Labour for Ontario has hereunto set his hand and seal, and the head and clerk of the corporation have hereunto set their hands and affixed the seal of the corporation, the day and year first above written.

Signed, sealed and delivered in the presence of

Minister of Public Works and
Labour for Ontario.

The Corporation of the

of

by

Mayor
Clerk

CHAPTER 5.

An Act to amend The Public Service Act.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The Public Service Act, 1932.*

Rev. Stat.,
c. 16, s. 14,
amended. **2.** Section 14 of *The Public Service Act* is amended by adding thereto the following subsection:

"Civil servants,"
meaning of. (10) In this section "civil servants" shall mean and include both permanent and temporary employees of any department of the Government whether engaged at the seat of government at Toronto or elsewhere.

Rev. Stat.,
c. 16, s. 51,
repealed. **3.** Section 51 of *The Public Service Act* is repealed and the following substituted therefor:

Administra-
tion of
Part III. 51. This Part shall be administered by a Board to be known as the Public Service Superannuation Board, which shall consist of three members to be appointed by the Lieutenant-Governor in Council and one of the members so appointed shall be a representative of and employed in the Ontario Civil Service.

Rev. Stat.,
c. 16,
amended. **4.** *The Public Service Act* is amended by adding thereto the following section:

Refunds
exempt from
municipal
income tax. 65. Money repaid to a civil servant upon his resigning or otherwise leaving the civil service, or to his widow, shall not be liable to assessment or taxation for municipal income tax.

Commence-
ment of Act. **5.** This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 6.

An Act to amend The Succession Duty Act.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Succession Duty Act, 1932*. Short title.

2. The clause lettered *c* in subsection 2 of section 8 of *The Succession Duty Act*, as re-enacted by subsection 1 of section 6 of *The Succession Duty Act, 1931*, is repealed and the following substituted therefor:

Rev. Stat.,
c. 26, s. 8,
subs. 2, cl. *c*
(1931,
c. 7, s. 6
subs. 1),
repealed.

(*c*) Any property, real or personal, including money in banks or other institutions, held in the joint names of the deceased and one or more persons, except the portion thereof which is shown to the satisfaction of the Treasurer to have been contributed by some person other than the deceased.

Property
held in joint
names of
deceased and
other
persons.

3.—(1) The clause lettered *b* in subsection 1 of section 11 of *The Succession Duty Act* as re-enacted by section 8 of *The Succession Duty Act, 1931*, is repealed and the following substituted therefor:

Rev. Stat.,
c. 26, s. 11,
subs. 1, cl. *b*,
(1931, c. 7,
s. 8),
repealed.

(*b*) Permit the opening of any safety deposit box in Ontario or the removal thereof from Ontario when such safety deposit box contains any negotiable instrument, certificates representing indebtedness under bond or otherwise, or representing any holdings of stock, muniment of title, insurance policy or any other property belonging to a deceased person, or permit the withdrawal from a safety deposit box in Ontario of anything mentioned in this clause.

Opening or
removal of
deposit box,
etc.

(2) Subsection 2 of the said section 11 as re-enacted by section 8 of *The Succession Duty Act, 1931*, is amended by striking out the words "or other repository" in the second line.

Rev. Stat.,
c. 26, s. 11,
subs. 2
(1931,
c. 7, s. 8),
amended.

Rev. Stat.,
c. 26, s. 16,
subs. 1,
amended.

4.—(1) Subsection 1 of section 16 of *The Succession Duty Act* as amended by section 4 of *The Succession Duty Act, 1928*, and section 3 of *The Succession Duty Act, 1929*, is further amended by striking out the words "one year" in the third line inserted by the said section 4 of *The Succession Duty Act, 1928*, and inserting in lieu thereof the words "six months."

Idem.

(2) The said subsection 1 of section 16 is further amended by inserting after the word "paid" in the nineteenth line the words "and if before the expiration of the four years the annuity or income has ceased or been reduced by conditions provided by the will or settlement directing its payment, the balance of the duty, where the annuity or income has wholly ceased or the duty on the portion which has ceased, shall be payable by the estate or fund on or out of which the annuity or income is charged or derived or which has benefited by its cessation or reduction," so that the first paragraph of the subsection, as amended by subsections 1, 2 and 3 of this section, shall now read as follows:

Duty
payable
within six
months from
death of
deceased.

- (1) The duty imposed by this Act, unless otherwise herein provided, shall be due at the death of the deceased, and payable within six months thereafter, and if the same, or any part thereof, is paid within that period, no interest shall be charged or collected thereon, but if not so paid, interest at the rate of six per centum per annum from the death of the deceased shall be charged and collected upon the amount remaining from time to time unpaid, and such duty, or so much thereof as remains unpaid, with interest thereon, shall be and remain a lien upon the property in respect of which it is payable until paid; provided that the duty chargeable upon any legacy given by way of annuity, or income, whether for life or otherwise, may be paid in four equal consecutive annual instalments, the first of which shall be paid before the falling due of the first year's annuity or income and each of the three others within the same period in each of the next succeeding three years, and for non-payment when due interest shall be collected from the date of the maturity of each instalment until paid, and if before the expiration of the four years the annuity or income has ceased or been reduced by conditions provided by the will or settlement directing its payment the balance of the duty where the annuity or income has wholly ceased, or the duty on the portion which has ceased shall be payable by the estate or fund on or out of which the annuity or income is charged or derived, or which has benefited by its cessation or reduction, and if the

Proviso.

annuitant or tenant of income dies before the expiration of the four years, the balance of the duties shall be payable by the estate or fund out of which the annuity or income is charged or derived.

(3) The said subsection 1 of section 16 shall be read as though on the 1st day of October, 1928, it had contained the words added thereto by subsection 2 of this section.

5.—(1) Subsection 4 of section 22 of *The Succession Duty Act* is amended by adding thereto the following words: Rev. Stat., c. 26, s. 22, subs. 4, amended.

“and in addition the Court before which any such action is pending may, on the application of the Attorney-General, make such order for the attendance and examination of any person or an officer or servant of any corporation (whether or not such person or corporation is a party to the action) for discovery or otherwise as the Court may deem expedient, may direct the person or persons to be examined to make production upon oath of any books, papers or other writings or documents which may be in the possession or control of such person or persons or of any corporation, and where any such person or corporation is out of Ontario the Court may make an order for such examination or for the issue of a commission or letters of request in a like manner and with the like effect as a similar order may be made for the examination of witnesses for use at the trial of an ordinary action.”

(2) The provisions of subsection 1 shall apply to actions instituted after the 1st day of January, 1932. Application of Section

6. *The Succession Duty Act* is amended by adding thereto the following section: Rev. Stat., c. 26, amended.

27. Declarations or affidavits in connection with returns filed under this Act may be taken before any person having authority to administer an oath, or before any person specially authorized for that purpose by the Lieutenant-Governor in Council, but any person so specially authorized shall not charge any fee therefor. Declarations and affidavits.

7. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 7.

An Act to amend The Mining Tax Act.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1.** This Act may be cited as *The Mining Tax Act, 1932.*

Rev. Stat.,
c. 28, s. 19,
subs. 4
(1931, c. 8,
s. 2, subs. 2),
repealed. **2.** Subsection 4 of section 19 of *The Mining Tax Act* as enacted by subsection 2 of section 2 of *The Mining Tax Act, 1931*, is repealed, but nothing in this Act contained shall prejudice or affect any application now pending before the Judge of the Mining Court under the said subsection, and every such application shall be heard and determined as if the said subsection was still in force.

Rev. Stat.,
c. 28, s. 46,
subs. 1,
amended. **3.** Subsection 1 of section 46 of *The Mining Tax Act* is amended by striking out the words "ninety per centum" in the seventeenth line and inserting in lieu thereof the words "fifty per centum."

Commence-
ment of Act. **4.** This Act shall come into force on the day upon which it receives the Royal Assent and as to section 3 hereof shall have effect as from the 1st day of January, 1932.

CHAPTER 8.

An Act to amend The Corporations Tax Act.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Corporations Tax Act, 1932*. Short title.

2.—(1) The clause lettered *b* in subsection 2 of section 3 of *The Corporations Tax Act* is repealed and the following substituted therefor: Rev. Stat., c. 29, s. 3, subs. 2, cl. b, repealed.

(b) An additional tax of \$3,000 for principal office in Banks. Ontario and \$200 for each additional office, branch or agency in Ontario.

(2) The clause lettered *a* in subsection 3 of the said section 3 is repealed and the following substituted therefor: Rev. Stat., c. 29, s. 3, subs. 3, cl. a, repealed.

(a) (i) Every life insurance company shall pay a tax of one and three-quarters per centum on all gross premiums received by the company or its agent or agents in respect of the business transacted in Ontario less cash value of dividends to policy-holders. Insurance companies.

(ii) Every fire insurance company shall pay a tax of one and two-thirds per centum calculated on the gross premiums received by the company or its agent or agents in respect of the business transacted in Ontario.

(iii) Every other insurance company shall pay a tax of two per centum calculated on the gross premiums received by the company or its agent or agents in respect of the business transacted in Ontario.

Rev. Stat.,
c. 29, s. 3,
subs. 4, cl. a,
amended.

- (3) The clause lettered *a* in subsection 4 of the said section 3 is amended by striking out the word "twenty-fifth" in the second and third lines and inserting in lieu thereof the word "twentieth" so that the said clause shall now read as follows:

Loan
companies.

- (a) A company with fixed or permanent paid-up capital one-twentieth of one per centum on the paid-up capital thereof, and one-twentieth of one per centum of all moneys invested in Ontario by such company, excluding the company's office premises and cash in bank, but in no case less than \$100.

Rev. Stat.,
c. 29, s. 3,
subs. 10,
amended.

- (4) Subsection 10 of the said section 3 is amended by striking out the words "one-fifth of" in the third line so that the said subsection shall now read as follows:

Telegraph
companies.

- (10) Every company, owning, operating or using a line or a part of a line of telegraph within Ontario for gain shall pay a tax of one per centum upon the total amount of money invested by the company on such line or part thereof or the works and plant connected therewith; provided that a company owning and a company operating or using any such line or part thereof shall be jointly and severally liable for the payment of the said tax, but the total amount payable in respect of any such line or part of line shall not exceed the amount above mentioned notwithstanding that the line or part thereof is owned, operated or used by more than one company.

Rev. Stat.,
c. 29,
s. 3, subs. 11,
(1928, c. 21,
s. 1, subs. 2),
amended.

- (5) Subsection 11 of the said section 3 as re-enacted by subsection 2 of section 1 of *The Statute Law Amendment Act, 1928*, is amended by striking out the word "one-quarter" in the fourth line and inserting in lieu thereof the word "three-eighths," so that the said subsection shall now read as follows:

Telephone
companies.

- (11) Every company, owning, operating or using a telephone line or part thereof in Ontario for gain and having a paid-up capital of \$100,000 or over shall pay a tax of three-eighths of one per centum upon the paid-up capital thereof.

Rev. Stat.,
c. 29, s. 3,
subs. 12,
amended.

- (6) Subsection 12 of the said section 3 is amended by adding thereto the following clause:

Gas and
electric
companies.

- (d) In this subsection a gas company shall include a natural gas company.

(7) Subsection 13 of the said section 3 is amended by adding at the end thereof the words "but in no case more than \$10,000," so that the said subsection shall now read as follows: Rev. Stat., c. 29, s. 3, subs. 13, amended.

(13) Every company, including a railway company carrying on the business of an express company over a railway in Ontario, shall pay a tax of \$800 for each one hundred miles or fraction thereof but in no case more than \$10,000. Express companies.

(8) Subsection 15 of the said section 3 is amended by striking out the word "one" in the eighth line and inserting in lieu thereof the word "two." Rev. Stat., c. 29, s. 3, subs. 15, amended.

Race tracks.

(9) Subsections 23 and 23a of the said section 3 as enacted by subsection 2 of section 2 of *The Corporations Tax Act, 1931*, are repealed and the following substituted therefor: Rev. Stat., c. 29, subss. 23 and 23a, (1931, c. 9, s. 2, subs. 2) repealed.

(23) (a) Save as in this subsection otherwise provided every incorporated company having an office in Ontario or transacting business in Ontario in its own name or through an agent shall pay a tax of one-tenth of one per centum upon the paid-up capital thereof. Incorporated companies.

(b) Provided that, where all or part of the business of a company is investment and reinvestment in shares, bonds and obligations of other companies or any government, municipal or school corporation, a deduction shall be allowed from the paid-up capital in the same proportion as such investments bear to the total assets of the company.

(c) Provided further, that the tax imposed by this subsection shall not apply,—

(i) to any mine, plant, or works the profits of which are liable to taxation under *The Mining Tax Act*;

(ii) to any milling, smelting, refining or reduction plant owned by the owner of the mine and used for processing of such mine's ores unless and until such mine is assessed for a tax under *The Mining Tax Act*;

(iii) to any capital *bona fide* held or used in the survey for exploration and development of

gold,

gold, silver, copper, nickel or other precious or semi-precious metals;

(iv) to corporations paying tax under subsection 12 of this section upon their entire capital except as to any portion of capital not so taxed under the said subsection;

(v) to corporations paying taxes under subsections 2, 3, 4, 5, 6, 8, 10, 11, 13, 14, 15 or 22 of this section.

(d) In this subsection the words "paid-up capital" shall mean and include the paid-up capital of the company, its surplus and reserve funds (except a proper reserve for depreciation) and all sums or credits advanced or loaned to the company by any other company.

(24) (a) Save as in this subsection otherwise provided every incorporated company having an office in Ontario or transacting business in Ontario in its own name or through an agent shall pay a tax of \$50 for each office or place of business in Ontario.

(b) Provided that the combined tax payable under this subsection and under subsection 23 by a company having a paid-up capital of less than \$60,000 shall in no case be less than \$20 and subject to such minimum tax shall not exceed in all one-fifth of one per centum of the paid-up capital as defined in subsection 23.

(c) Provided further that the provisions of this subsection shall not apply to corporations paying taxes under subsections 2, 3, 6, 8, 10, 11, 13, 14, 15 or 22 of this section.

Rev. Stat.,
c. 29,
amended.

3. *The Corporations Tax Act* is amended by adding thereto the following section:

Tax on net
revenue.

3a. In addition to the taxes specified in section 3 every incorporated company shall pay a tax of one per centum calculated on the net revenue of the company without deducting therefrom any charge or reserve for dividends on paid-up capital or any charge of a similar nature and also without deducting therefrom any reserve for capital account.

Provided that the provisions of this section shall not apply to corporations paying taxes under subsections 2, 3, 4, 5, 6, 8, 11, 13, 14 or 15 of section 3.

Provided

Provided further that the provisions of this section shall not apply to electric companies paying a tax under subsection 12 of section 3.

4. Section 12 of *The Corporations Tax Act* as amended by section 4 of *The Corporations Tax Act, 1930*, is repealed and the following substituted therefor:

Rev. Stat.,
c. 29, s. 12,
(1930,
c. 6, s. 4),
repealed.

12. There shall be levied a tax of three cents payable by the transferor in money or stamps, for every \$100 or fraction thereof of the par value upon every change of ownership consequent upon the sale, transfer or assignment of any share of stock of any association, company or corporation or any bond, debenture or debenture stock (other than a bond, debenture or stock of the Dominion of Canada or of any province of Canada), made or carried into effect in Ontario, except where the shares or certificates are issued without designated monetary value in which case the tax shall be three cents for every one hundred dollars or fraction thereof of the market value of such shares; but the first delivery by the corporation or company of such shares, bonds, or debenture stock, in order to effect an issue shall not be subject to the tax imposed by this section.

Stock
transfer tax.

5. Section 18 of *The Corporations Tax Act* is repealed and the following substituted therefor:

Rev. Stat.,
c. 29, s. 18,
repealed.

18. The Lieutenant-Governor in Council may make regulations,—

Regulations.

- (a) specially authorizing officials of the Treasury Department to administer declarations or affidavits in connection with returns filed under this Act, but any person so specially authorized shall not charge any fee therefor;
- (b) for allocating the taxable capital or net revenue of companies transacting business in Ontario and other Provinces or foreign countries;
- (c) for prescribing forms of returns as may be deemed necessary for the purpose of carrying out the provisions of this Act;
- (d) for allocating a portion of capital or net revenue of companies or corporations to provide for impairment or depletion;

(e)

(e) exempting in whole or in part any class or classes of business, any corporation in liquidation or in the hands of the receiver, and any company incorporated for drainage, agriculture, colonization, religious, charitable, philanthropic, social, or educational purposes.

(f) generally for the better carrying out of the provisions of this Act.

Rev. Stat.,
c. 29,
amended.

6. *The Corporations Tax Act* is amended by adding thereto the following section:

Secrecy.

25.—(1) No person employed in the service of His Majesty shall communicate or allow to be communicated to any person not legally entitled thereto, any information obtained under the provisions of this Act, or allow any such person to inspect or have access to any written statement furnished under the provisions of this Act.

Penalty.

(2) Any person violating any of the provisions of this section shall be liable on summary conviction to a penalty not exceeding \$200.

Commence-
ment of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent and shall have effect as from the 1st day of January, 1932.

CHAPTER 9.

An Act to amend The Amusements Tax Act.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Amusements Tax Act, 1932*. Short title.
2. The clause lettered *b* in section 1 of *The Amusements Tax Act* is repealed and the following substituted therefor: Rev. Stat., c. 32, s. 1, cl. b, repealed.

(b) "Place of amusement" shall mean and include "Place of amusement." theatre, moving picture hall, dance hall, amusement hall, concert hall, music hall, circus, race-course, baseball park, athletic park, amusement park, including all attractions and rides, skating rink, or other place where an exhibition or entertainment is given or amusement provided, or facilities are provided therefor, or game played and an entrance fee is charged or fee collected through the sale of tickets or otherwise, or where after admission a charge is made or fee collected, and any hotel, restaurant, dining room or other place where dances are held or facilities for dancing provided or a performance or entertainment is given before, during or after the service of meals or refreshments.
3. Section 2 of *The Amusements Tax Act* is repealed and the following substituted therefor: Rev. Stat., c. 32, s. 2, repealed.

2. Every person attending at a place of amusement shall pay to His Majesty for the use of Ontario a tax of not less than one cent and not more than fifty cents, to be collected as herein provided, but the Lieutenant-Governor in Council may exempt from the provisions of this Act any person attending a place of amusement and paying not more than twenty-five cents. Tax on persons attending place of amusement.
4. Section 6 of *The Amusements Tax Act* is repealed and the following substituted therefor: Rev. Stat., c. 32, s. 6, repealed.

Penalty for
evading tax.

6. Every person who, without having previously paid the tax provided for by this Act, attends a place of amusement in Ontario shall incur a penalty of not less than \$10 nor more than \$200.

Rev. Stat.,
c. 32, s. 7,
repealed.

5. Section 7 of *The Amusements Tax Act* is repealed and the following substituted therefor:

Penalty for
non-
collection.

7. Every owner or licensee of a place of amusement and every employee of an owner or licensee of a place of amusement, who permits or authorizes, or is a party or privy to, the attendance of any person at a place of amusement, without payment of the tax provided for by this Act, or who uses or resells a ticket which should have been destroyed, or who contravenes any of the provisions of this Act or the regulations passed pursuant thereto, shall incur a penalty of not less than \$20 and not more than \$500.

Rev. Stat.,
c. 32, s. 9,
repealed.

6. Section 9 of *The Amusements Tax Act* is repealed and the following substituted therefor:

Regulations.

9. The Lieutenant-Governor in Council may make such regulations as may be deemed expedient for the purpose of carrying into effect the provisions of this Act and may, subject to the provisions of section 2, fix the tax to be paid by persons attending a place of amusement, and may exclude from the operation of the Act any class or classes of amusement and may make regulations for refunding the tax or for an allowance for tax tickets burned, spoiled or rendered useless or unfit for the purpose intended, or for which the owner may have no immediate use.

Rev. Stat.,
c. 32, s. 11,
repealed.

7. Section 11 of *The Amusements Tax Act* is repealed.

Commence-
ment of Act.

8. This Act shall come into force on the 1st day of May, 1932.

CHAPTER 10.

An Act to supplement the Revenue of the Crown
in the Province of Ontario.*Assented to March 29th, 1932.*

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Supplementary Revenue Act, 1932.* Short title.

2. In this Act,—

Interpre-
tation.

- (a) "Gallon" shall mean one hundred and twenty-eight ounces or such greater or less quantity as may be fixed by regulation; "Gallon."
- (b) "Purchaser" shall mean any person holding a subsisting permit under *The Liquor Control Act* or the regulations passed thereunder and purchasing wine for his own use; "Purchaser."
- (c) "Regulations" shall mean regulations made under the authority of this Act; "Regulations."
- (d) "Treasurer" shall mean the Treasurer of Ontario; "Treasurer."
- (e) "Native wine" shall mean wine manufactured from grapes or cherries grown in Ontario and shall include native wine to which has been added water, honey or sugar and shall also include native wine fortified with the distillate of grapes grown in Ontario. "Native wine."

3. Every purchaser of native wine shall pay to His Majesty for the uses of Ontario a tax at the rate of ten cents per gallon on all native wine purchased by him. Tax on purchaser of wine.

4. The tax hereby imposed shall be collected, accounted for and paid over to the Treasurer in such manner as the regulations may direct. Collection of tax.

Regulations. **5.** The Lieutenant-Governor in Council may make regulations,—

- (a) for the collection of the tax hereby imposed in cash, by the sale of stamps, or otherwise, and designating the persons by whom the same shall be collected;
- (b) for the accounting for and paying over of money so collected and the time and manner of such accounting and paying;
- (c) prescribing the returns to be made by manufacturers of native wine in Ontario;
- (d) exempting from the said tax any purchaser or class of purchasers and prescribing the proofs to be furnished upon any application for exemption;
- (e) imposing penalties for the non-payment of said tax or for non-compliance with the provisions of this Act or the regulations;
- (f) for defining a "gallon" of native wine when sold in bottles;
- (g) generally for the better carrying out of the provisions of this Act.

Penalties,—
how recover-
able.
Rev. Stat.,
c. 121.

6. The penalties imposed under the regulations shall be recoverable under *The Summary Convictions Act*.

Repeal.

7. *The Luxury Tax Act*, being chapter 33 of the Revised Statutes of Ontario, 1927, is repealed.

Commence-
ment of Act.

8. This Act shall come into force on the 1st day of May, 1932.

CHAPTER 11.

An Act to amend The Gasoline Tax Act.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Gasoline Tax Act, 1932*. Short title.

2. Section 2 of *The Gasoline Tax Act* as amended by section Rev. Stat., c. 55, s. 2, amended. 2 of *The Gasoline Tax Act, 1929*, is further amended by striking out the words "five cents" where they appear in the fifth line and substituting therefor the words "six cents" so that the section shall now read as follows:

(2) For the purpose of providing for a fair contribution Tax payable by purchaser. by the users of roads in Ontario towards the cost of the construction and maintenance thereof, every purchaser shall pay to the Minister for the use of His Majesty in the right of the Province of Ontario, a charge or tax at the rate of six cents a gallon on all gasoline purchased or delivery of which is received by him.

3. This Act shall come into force on the day upon which it receives the Royal Assent and shall take effect as from the Commencement of Act. 24th day of March, 1932.

CHAPTER 12.

The Fuel Oil Tax Act, 1932

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- Short title. **1.** This Act may be cited as *The Fuel Oil Tax Act, 1932*.
- Tax on fuel oil. **2.** For the raising of a revenue for provincial purposes every person who consumes any fuel oil in the Province shall pay to the Treasurer of Ontario a tax in respect of that fuel oil at the rate of one-half cent a gallon.
- Collection of tax. **3.** The tax imposed by this Act shall be paid and collected at such times and in such manner as the regulations may prescribe.
- Recovery of tax by action. **4.** The amount of any tax imposed by this Act may be recovered by action in any court as for a debt due to the Crown in right of the Province, and the court may make an order as to the costs of the action in favour of or against the Crown.
- Vendors' licenses. **5.**—(1) Upon the expiration of thirty days after the commencement of this Act, no person shall keep for sale or sell fuel oil in the Province unless he is the holder of a license issued pursuant to this section in respect of each place of business at which fuel oil is so kept for sale or sold by him.
- Application and license fee. (2) The manner of application and the forms of application and of the license shall be as prescribed in the regulations. A license fee of \$1 shall be payable in respect of each license.
- Cancellation of license. (3) The Treasurer of Ontario may, without holding any formal or other hearing, cancel any license issued pursuant to this section if the licensee is convicted of any offence against this Act, and may during the period of twelve months next

succeeding

succeeding the cancellation of that license refuse to issue any new license to the person so convicted.

6. Every person who consumes any fuel oil in the Province ^{Returns.} and every person who keeps for sale or sells fuel oil in the Province shall keep such records and shall make and furnish such returns as are prescribed in the regulations.

7.—(1) Every person who violates any provision of this ^{Offences.} Act or the regulations shall be guilty of an offence against this Act.

(2) Every person guilty of an offence against this Act shall ^{Penalties.} be liable, on summary conviction, to a fine not exceeding \$100, but nothing contained in this section nor the enforcement of any penalty thereunder shall suspend or affect any remedy for the recovery of any tax or amount payable under this Act.

8.—(1) For the purpose of carrying into effect the ^{Regulations.} provisions of this Act according to their true intent, the Lieutenant-Governor in Council may make such regulations as are considered necessary or advisable.

(2) Without thereby limiting the generality of the provisions contained in subsection 1, the power of the Lieutenant-Governor in Council to make regulations shall extend to,—

- (a)** prescribing that any person by whom any tax is payable under this Act shall, without any notice or demand, pay the same at such times and places and in such manner as are stated in the regulations;
- (b)** determining, in the case of any fluid or substance used or intended for use as fuel, whether or not a fluid or substance is fuel oil within the meaning of this Act;
- (c)** exempting from the provisions of the Act any manufacturer or any class or classes of consumers of fuel oil.

9. This Act shall come into force on a day to be named by ^{Commence-} the Lieutenant-Governor by his Proclamation. ^{ment of Act.}

CHAPTER 13.

An Act to amend The Mining Act.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The Mining Act, 1932*.

Rev. Stat.,
c. 45,
amended. **2.** *The Mining Act* is amended by adding thereto the following section:

Staking
under
invalid
license,—
effect of.

67a.—(1) Where a mining claim has been staked out in the name of the holder of a miner's license without his knowledge and consent, such staking out shall not derogate from or interfere with the right of such person so as to prevent the staking out of claims to the extent to which he is legitimately entitled.

False
staking of
claims in
excess of
number fixed
by The
Mining Act.

(2) Where a license is issued without the consent of the licensee and a claim or claims has or have been staked out under such license without the knowledge and consent of the person named therein, the Minister, upon the application of such person, may cancel any license so issued and declare any staking or other work done on the claim or claims null and void and of no effect.

Rev. Stat.,
c. 45, s. 175,
amended.

3. Section 175 of *The Mining Act* as amended by section 17 of *The Mining Act, 1931*, is further amended by adding thereto the following clause:

Penalty for
altering
license.

(hh) Wilfully makes any material change in the wording or numbering of a miner's license after issue of the same.

Commence-
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 14.

The Power Commission Act, 1932.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Power Commission Act, 1932*. Short title.

2. By-law number 1244 of the corporation of the town of Bowmanville; by-law number 1467 of the corporation of the town of Cobourg; by-law number 1619 of the corporation of the town of Trenton; by-law number 1462 of the corporation of the town of Walkerton; by-law number 306 of the corporation of the town of Wiarton; by-law number 2 of 1931 of the corporation of the village of Bath; by-law number 779 of the corporation of the village of Port Elgin; by-law number 40 of the corporation of the village of Rosseau; by-law number 704 of the corporation of the village of Streetsville; by-law number 181 of the corporation of the village of Westport; by-law number 45 of the corporation of the village of Windermere; by-law number 1628 of the corporation of the township of North York; and all debentures issued or to be issued or purporting to be issued under any of the said by-laws which authorize the issue of debentures are confirmed and declared to be legal, valid and binding upon such corporations and the ratepayers thereof respectively and shall not be open to question upon any ground whatsoever notwithstanding the requirements of *The Power Commission Act* or the amendments thereto or any other general or special Act of this Legislature.

By-laws confirmed.

Rev. Stat., c. 57.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

CHAPTER 15.

An Act to amend The Department of Labour Act.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Department of Labour Act, 1932.*

Rev. Stat.,
c. 62, s. 4,
cl. a,
repealed.

2.—(1) The clause lettered *a* in section 4 of *The Department of Labour Act* is repealed and the following substituted therefor:

(a) *The Operating Engineers Act;*

Rev. Stat.,
c. 62, s. 4,
amended.

(2) The said section 4 is further amended by adding thereto the following clauses:

1928, c. 25.

(f) *The Apprenticeship Act;*

(g) The regulations respecting the protection of persons working in compressed air, tunnels, or open caissons.

Rev. Stat.,
c. 62,
s. 5, cl. d,
amended.

3.—(1) The clause lettered *d* in section 5 of *The Department of Labour Act* is amended by striking out the word “working-men” in the fourth line and inserting in lieu thereof the words, “persons, both male and female, in any of the trades, occupations or professions, and for procuring workers for employment in any of the trades, occupations, or professions,” so that the clause shall now read as follows:

Employ-
ment
bureaux.

(d) establish and maintain in the various centres of population throughout Ontario, employment offices and similar agencies for obtaining suitable employment for persons both male and female, in any of the trades, occupations or professions, and for procuring workers for employment in any of the trades, occupations or professions, and subject to *The Employment Agencies Act*, to regulate all voluntary, private or municipal employment bureaux.

Rev. Stat.
c. 216.

(2) The clause lettered *i* in the said section 5 is amended by inserting the words "and regulations" after the word "Acts" in the fourth line thereof, so that the clause shall now read as follows:

Rev. Stat.,
c. 62, s. 5,
cl. *i*,
amended.

- (i) prepare and transmit to the Lieutenant-Governor in Council annually a report containing the reports of the officers employed in the administration of the various Acts and regulations assigned to the Department, and upon the work of the Department during the preceding year, together with such statistical and other information as may have been collected in the Department.

Annual
Report.

4.—(1) Subsections 1 and 3 of section 7 of *The Department of Labour Act* are amended by inserting the words "or regulations" after the word "Acts" in the fifth line of subsection 1 and after the word "Act" in the fifth line of subsection 3 so that the subsections shall now read as follows:

Rev. Stat.,
c. 62, s. 7,
subss. 1 and
3, amended.

- (1) The Deputy Minister may require from employers, workmen and other persons such information concerning rates of wages, hours of work, regularity of employment and other matters as he may deem necessary for the proper carrying out of this Act or of any of the Acts or regulations administered by the Department.

Powers of
Deputy
Minister
as to
obtaining
information.

- (3) Such officer acting under the written authority of the Deputy Minister, shall have access at all reasonable hours to any office, factory, shop, place of business or other premises for the purpose of carrying out the provisions of this Act or of any Act or regulations administered by the Department.

Right of
access.

(2) Subsection 4 of the said section 7 is amended by striking out all the words after the word "Acts" in the fourth line and inserting in lieu thereof the words "or regulations administered by the Department shall be guilty of an offence and may be proceeded against under *The Summary Convictions Act* and upon conviction shall incur a penalty of \$20," so that the subsection shall now read as follows:

Rev. Stat.,
c. 62, s. 7,
subs. 4,
amended.

- (4) Every person who refuses to furnish any returns or information which may be lawfully required, or who hinders or obstructs any officer in the performance of his duties under this Act or any of the Acts or regulations administered by the Department shall be guilty of an offence and may be proceeded against under *The Summary Convictions Act* and upon conviction shall incur a penalty of \$20.

Penalty for
refusing
information
or inter-
fering.

Rev. Stat.,
c. 121.

Rev. Stat.,
c. 62, s. 7,
amended.

(3) The said section 7 is further amended by adding thereto the following subsection:

Penalty for
falsifying
records.

- (5) Every person who falsifies his records or returns or supplies incomplete or untrue information shall be guilty of an offence and may be proceeded against under *The Summary Convictions Act* and upon conviction shall incur a penalty of not less than \$50 and not more than \$300.

Rev. Stat.,
c. 62,
amended.

5. *The Department of Labour Act* is amended by adding thereto the following sections:

Stopping
work when
conditions
unsafe.

9. Whenever any inspector appointed under this Act or under any of the Acts or regulations administered by the Department of Labour is of the opinion that any work or installation to which any such Act or regulations apply or any portion of such work or installation is being carried on or has been installed in such manner as to be dangerous to life or property, he may, by written order to the employer, person, firm or corporation responsible for such work or installation, or to the contractor for any part thereof, order the immediate cessation of the work or operation of the plant or equipment or any portion thereof, which he considers unsafe.

Penalty
for non-
compliance.

10. Any person, firm or corporation employing persons on any work or installation to which any of the Acts or regulations administered by the Department of Labour apply, who refuses or neglects to comply with any order, direction or recommendation lawfully given in connection with the safe conduct of such work or installation shall be guilty of an offence and may be proceeded against under *The Summary Convictions Act* and upon conviction shall incur a penalty of not less than \$50 and not more than \$300.

Rev. Stat.,
c. 121.

Commence-
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 16.

An Act to assist Co-operative Associations in
Marketing Agricultural Products.*Assented to March 29th, 1932.*

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Co-operative Marketing Loan Act, 1932.* Short title.

2. In this Act,—

Interpre-
tation.

(a) "Co-operative association" shall mean any co-operative corporation of producers incorporated under Part XII of *The Companies Act* for the purpose of grading, cleaning, packing, storing or marketing agricultural products; "Co-operative association." Rev. Stat., c. 218.

(b) "Minister" shall mean Minister of Agriculture; "Minister."

(c) "Regulations" shall mean regulations made under the authority of this Act. "Regu-
lations."

3.—(1) The provisions of this Act may be extended by the Lieutenant-Governor in Council to associations other than co-operative associations incorporated under *The Companies Act*, if the majority of the shares of capital stock thereof are owned by producers of agricultural products. Extension of provisions of Act.

(2) No loan shall be made to any association mentioned in subsection 1 unless a contract is entered into by such association with the Minister according to the form prescribed by the regulations and providing for such limitations and conditions as will ensure control of the management and operation of the association remaining vested in producers until the loan is fully repaid. Conditions of loan.

(3) When a loan is made to an association mentioned in subsection 1 the provisions of this Act relating to co-operative associations shall, *mutatis mutandis*, apply. Application of provisions of Act.

Limitation
as to loan.

4. The Lieutenant-Governor in Council, upon the recommendation of the Minister, may make loans to co-operative associations to assist in carrying out their objects to the following extent, namely:

- (a) in the case of a co-operative association other than a cold storage association, to an amount not exceeding \$2,500;
- (b) in the case of a co-operative cold storage association, to an amount not exceeding \$30,000.

Extent of
loan.

5.—(1) A loan under this Act shall not exceed the following:

- (a) in the case of a co-operative cold storage association, not more than thirty per centum of the approved value of the property upon which the loan is to be made, where the association has received or is receiving aid from the Dominion of Canada, and in other cases not more than fifty per centum of such value;
- (b) in the case of a co-operative association other than a cold storage association, not more than fifty per centum of the approved value of the property upon which the loan is to be made.

Rate of
interest.

(2) Subject to the regulations, the rate of interest payable upon any loan made under this Act shall be as provided for in the contract relating thereto.

Repayment
of loan.

(3) A loan may be repaid at any time at the option of the co-operative association, but repayment of principal thereof shall be commenced not more than three years from the date of the loan and so that at least fifty per centum shall be repaid at the end of five years from such date and so that the whole of the loan shall be repaid at the end of ten years from such date, and every contract shall make the necessary provisions to ensure such repayment.

Loan to be
made on a
contract.

6. Every loan shall be made on a contract between the association and the Minister and according to a form prescribed by the regulations.

Loan to be
secured
by first
mortgage.

7.—(1) Every loan shall be secured by a first mortgage to the Agricultural Development Board upon the real and personal property of the co-operative association in accordance with the provisions of *The Bills of Sale and Chattel Mortgages Act* and *The Short Forms of Mortgages Act*, and such mortgage shall have priority over all liens and encumbrances except municipal taxes.

Rev. Stat.,
cc. 164, 145.

(2) Sections 16 and 17 of *The Agricultural Development Act* Rev. Stat., c. 68, ss. 16, 17 to apply. shall apply to any real or chattel mortgage made under this Act.

8. The Minister shall lay before the Assembly at each session a report of all loans made under the authority of this Act and the regulations. Minister's report to Assembly.

9. Every co-operative association to which an undischarged loan has been made shall make such annual or other reports, returns and statements to the Minister as the regulations may prescribe. Report of co-operative association.

10. Every co-operative association to which an undischarged loan has been made shall by written notice advise the Minister of the time and place for each annual meeting and the Minister or his representative shall have the privilege of attending all meetings. Notice of annual meeting.

11. The Minister may, if in his opinion it is necessary, by notice to the secretary, call a meeting of the members or shareholders of any co-operative association to which an undischarged loan has been made to inquire into its affairs at such time and place as he may specify in the notice. Minister may call meeting.

12.—(1) The Minister may appoint some person to inspect the books, accounts and property of any co-operative association to which an undischarged loan has been made and may empower such person to summon witnesses and enforce the production of documents before him and take evidence upon oath with regard to such inspection, and all officers of any such association whenever required so to do shall submit the books and accounts thereof to such inspection and shall truly and to the best of their knowledge answer all questions put to them in relation thereto or to the funds and management of such association. Inspection of books.

(2) The Minister may order such alterations or repairs to be made to the property of any co-operative association for the purpose of better securing a loan made under this Act. Alterations and repairs.

13. If a co-operative association to which a loan has been made makes any default in the performance of the terms of the contract entered into with the Minister or otherwise commits a breach of any of the provisions of this Act, or in the opinion of the Minister, fails or ceases to carry out its objects, the Minister may without resort to proceedings in equity or law rescind the contract and authorize the Agricultural Development Board without notice to exercise any and all of its powers of sale as mortgagee as in the case of default on the part of a mortgagor notwithstanding that no actual

default in payment of principal or interest under the mortgage may have occurred.

Regulations.

14. The Lieutenant-Governor in Council upon the recommendation of the Minister may make regulations,—

- (a) prescribing the form and manner of making application and a contract for a loan and the manner in which each application shall be dealt with;
- (b) prescribing the rates of interest to be payable upon loans made under this Act;
- (c) providing for inspection and valuation of the property upon which the loan is to be secured;
- (d) respecting inquiries to be made and information to be furnished with respect to the object of the loan before making the loan;
- (e) with respect to any other matter regarding which the Minister deems regulations necessary for the execution of the purposes of this Act.

Powers of Minister.

15. The Minister may decide all matters of doubt or dispute arising under this Act and his decision shall be final except that an appeal therefrom may be made to the Lieutenant-Governor in Council.

Loans made during 1931.

16. The provisions of this Act shall apply to any loans made to co-operative associations during the year 1931 as if such loans had been made immediately after this Act came into force.

Rev. Stat.,
c. 75,
repealed.

17. *The Co-operative Marketing Loan Act*, being chapter 75 of the Revised Statutes of Ontario, 1927, is repealed.

Commence-
ment of Act.

18. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 17.

An Act to amend The Registry Act.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Registry Act, 1932.*

Short title.

2.—(1) Subsection 6 of section 55 of *The Registry Act* as enacted by subsection 3 of section 10 of *The Statute Law Amendment Act, 1931*, is amended by,—

Rev. Stat.,
c. 155, s. 55,
subs. 6
(1931,
c. 23, s. 10,
subs. 3),
amended.

- (i) adding at the end of clause *b* the words “notice of which appears in any register, book, document or instrument or on any abstract in the registry office”;
- (ii) inserting after the word “any” in the second line the word “registered,” and by striking out the words “either at law or equity” in the third line of clause *c*;
- (iii) striking out clauses *d* and *e*;
- (iv) striking out the word “registered” in the twenty-fifth line and inserting in lieu thereof the words “tendered for registration” and by inserting after the words “attached thereto” in the twenty-sixth line the words “or endorsed thereon”;

so that the said subsection shall now read as follows:

- (6) Subject to the provisions of subsection 4, whether letters probate or letters of administration have or have not been granted, no deed, grant, conveyance, mortgage, assignment of mortgage, discharge of mortgage or other instrument purporting to convey, transfer or assign,—

Instruments
affecting
lands of
deceased
owner not
to be
registered
until
consent of
Provincial
Treasurer
given.

- (a) any property standing in the name of a deceased person or held in trust for him or in

the

the names of a deceased person and any other person;

- (b) any property over which the deceased person had, at the time of his death a general power of appointment notice of which appears in any register, book, document or instrument or on any abstract in the registry office;
- (c) any property in which the deceased person at the time of his death had any registered beneficial interest whatsoever,

shall be tendered for registration unless the consent in writing of the Treasurer of Ontario is attached thereto or endorsed thereon, and until such consent is given (notwithstanding anything contained in *The Devolution of Estates Act*) any land so conveyed shall not vest in the person beneficially entitled thereto or his assigns or any person claiming under him.

Rev. Stat.,
c. 148.

Rev. Stat.,
c. 155, s. 55,
subs. 8
(1931,
c. 23, s. 10,
subs. 3),
amended.

(2) Subsection 8 of the said section 55 as enacted by subsection 3 of section 10 of *The Statute Law Amendment Act, 1931*, is amended by inserting after the word "therein" in the third line the words "or a description by reference to a registered instrument," so that the subsection shall now read as follows:

Certificate
to contain
description
of lands.

- (8) A certificate to be registered under subsection 7 shall contain a local description of the lands mentioned therein or a description by reference to a registered instrument and registration thereof shall be made by production of the original certificate and deposit of a true copy thereof or of so much thereof as relates to the lands situate in the registry division for which the same is to be registered with an affidavit verifying such copy.

Rev. Stat.,
c. 155, s. 55,
amended.

(3) The said section 55 as amended by subsection 3 of section 10 of *The Statute Law Amendment Act, 1931*, is further amended by adding thereto the following subsections:

Consent
required
only once.

- (10) Notwithstanding anything herein contained, the above consent shall be required only once in connection with the same property in the same estate.

Application
of
subss. 6-10.

- (11) Subsections 6 to 10 inclusive shall not apply where the deceased person died prior to the 1st day of January, 1930.

3. Section 68a of *The Registry Act* as enacted by section 8 of *The Registry Act, 1929*, is amended by adding thereto the following subsection: Rev. Stat.,
c. 155, s. 68a
(1929, c. 43,
s. 8),
amended.

- (1) Whenever a mechanics lien has been registered as required by *The Mechanics' Lien Act* and a certificate of action has also been registered, and such certificate of action has been partially vacated or discharged, and such order vacating does not affect any portion of the lot other than the portion described in the said vacating order, and the said order or certificate of order partially vacating or discharging the same has been registered for two or more years, the provisions as to striking out shall apply. Striking
out entries
as to
mechanics'
liens.

Rev. Stat.,
c. 173.

4. Section 118 of *The Registry Act* is amended by adding thereto the following subsection: Rev. Stat.,
c. 155, s. 118,
amended.

- (2) If at any time the receipts of the office are not sufficient to pay the salaries and retiring allowances of the registrar and the members of his staff the same shall be a charge upon and be payable out of the receipts of the corporation under *The Mortgage Tax Act*. Application
of mortgage
tax to meet
expenses of
office.

Rev. Stat.,
c. 156.

5. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-
ment of Act.

CHAPTER 18. •

An Act to amend The Conditional Sales Act.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1.** This Act may be cited as *The Conditional Sales Act, 1932.*

Rev. Stat.,
c. 165, s. 8,
amended. **2.**—(1) Section 8 of *The Conditional Sales Act* is amended by inserting at the commencement of the said section the words "Subject to the provisions of subsection 2."

Rev. Stat.,
c. 165, s. 8,
amended. (2) The said section 8 is amended by adding thereto the following subsections:

Mining
machinery,
subject to
rights of
seller or
lender.

(2) Where the goods consist of mining machinery or appliances on a mining claim for which the patent or lease, as the case may be, has not issued, they shall remain subject to the rights of the seller or lender whether they have been affixed to the realty or otherwise as fully as they were before being so affixed, and the hire receipt or conditional sale contract or a copy thereof may be filed with the recorder of the mining division in the same manner as a hire receipt or conditional sale contract may be filed with the clerk of a county or district court, and the provisions of this Act with regard to filing and discharge shall *mutatis mutandis* apply.

Filing of
contract to
be notice.

(3) The filing of such contract or hire receipt as provided in section 2 or 8 of this Act shall be deemed actual notice to a creditor, subsequent purchaser or mortgagee of such goods or realty.

Commence-
ment of Act. **3.** This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 19.

An Act to amend The Mechanics' Lien Act.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Mechanics' Lien Act, 1932.* Short title.
2. Subsection 3 of section 7 of *The Mechanics' Lien Act* is repealed and the following substituted therefor: Rev. Stat., c. 173, s. 7, subs. 3, repealed.
- (3) Where the land and premises upon or in respect of which any work or service is performed, or materials are furnished to be used, is encumbered by a prior mortgage or other charge existing in fact, and upon which money has been actually advanced before any lien arises, such mortgage or other charge shall, to the extent of such advance or advances, have priority over all liens under this Act to the extent of the actual value of such land and premises at the time the first lien arose, such value to be ascertained by the judge or officer having jurisdiction to try the action by proper evidence to be adduced before him. Prior mortgages.
- (a) Any mortgage or charge existing in fact for which valuable consideration has been given or for all or any part of the purchase price of any land before any lien arises, shall be deemed to be a prior mortgage within the meaning of subsection 3. Priority of mortgage for purchase price of land or for valuable consideration.
- (b) Any mortgage existing as a valid security, notwithstanding that it is a prior mortgage within the meaning of subsection 3 of section 7, or clause *a* of subsection 3 of section 7 of this Act, may also secure future advances, where the intention to make such future

advances

advances and the amount thereof is clearly stated in the mortgage, and in all such cases the provisions of subsection 1 of section 13 to the extent of such future advances, shall apply, when determining the priority as between lien claimants and advances so made on such mortgages.

Rev. Stat.,
c. 173, s. 13,
subs. 1,
amended.

3. Subsection 1 of section 13 of *The Mechanics' Lien Act* is amended by adding thereto the following words: "and in the absence of such notice in writing or the registration of a claim for lien all such payments or advances shall have priority over any such lien," so that the subsection shall now read as follows:

Priority
of lien.

13.—(1) The lien shall have priority over all judgments, executions, assignments, attachments, garnishments and receiving orders recovered, issued or made after such lien arises, and over all payments or advances made on account of any conveyance or mortgage, after notice in writing of such lien to the person making such payments, or after registration of a claim for such lien as hereinafter provided, and in the absence of such notice in writing or the registration of a claim for lien all such payments or advances shall have priority over any such lien.

Rev. Stat.,
c. 173, s. 13,
amended.

4. The said section 13 is further amended by adding thereto the following subsection:

Mortgage
given to
person
entitled to
lien void as
against lien
holders.

(3) Any conveyance, mortgage or charge of or on land given to any person entitled to a lien thereon under this Act in payment of or as security for any such claim, whether given before or after such lien claim has arisen, shall, as against other parties entitled to liens under this Act, on any such land be deemed to be fraudulent and void.

Rev. Stat.,
c. 173, s. 22,
amended.

5. Section 22 of *The Mechanics' Lien Act* is amended by adding thereto the following subsection:

Vacating
certificate
registered
for 2 years
or more.

(2) Where a certificate of action has been registered for two years or more in the registry office or land titles office as the case may be, and no appointment has been taken out for the trial of such action, any interested party may apply *ex parte* to a judge or officer who has jurisdiction to try the action who may make an order vacating such certificate of action.

6. The clause lettered *a* in subsection 4 of section 25 of *The Mechanics' Lien Act* is amended by adding after the word "court" in the first line, the words "or any bond or other security for securing the like amount and satisfactory to the judge or officer having jurisdiction," so that the said clause shall now read as follows:

Rev. Stat.,
c. 173, s. 25,
subs. 4, cl. a,
amended.

- (a) Any money so paid into court or any bond or other security for securing the like amount and satisfactory to the judge or officer having jurisdiction, shall take the place of the property discharged and be subject to the claims of all persons for liens to the same extent as if such money was realized by a sale of such property in an action to enforce the lien.

Security
or payment
into court.

7. Subsection 1 of section 32 of *The Mechanics' Lien Act* is amended by adding thereto the following words: "including power to set aside a fraudulent conveyance or fraudulent mortgage, or a mortgage which amounts to a preference within the meaning of the Dominion *Bankruptcy Act*, or of the provincial *Assignments and Preferences Act*," so that the said subsection shall now read as follows:

Rev. Stat.,
c. 173, s. 32,
subs. 1,
amended.

- (1) The Master, Assistant Master and the county or district judge, in addition to their ordinary powers shall have all the jurisdiction, powers and authority of the Supreme Court to try and completely dispose of the action and questions arising therein, including power to set aside a fraudulent conveyance or fraudulent mortgage, or a mortgage which amounts to a preference within the meaning of the Dominion *Bankruptcy Act*, or of the provincial *Assignments and Preferences Act*.

Powers of
certain
officers.

8. The said section 32 is further amended by adding thereto the following subsections:

Rev. Stat.,
c. 173, s. 32,
amended.

- (3) At any time after the delivery of the statement of claim, as provided by this Act, the judge or other officer having jurisdiction to try the action may, on the application of any lien claimant, mortgagee or other party interested, appoint a receiver of the rents and profits of the property against which the claim of lien is registered, upon such terms and upon the giving of such security or without security as to the said judge or other officer may seem just.

Power to
appoint a
receiver of
rents and
profits.

- (4) At any time after the delivery of a statement of claim as provided by this Act, any lien claimant, mortgagee or other party interested, may make an application by way of originating notice to a

Power to
direct a sale
and appoint
a trustee.

judge of the Supreme Court in chambers who shall have power to appoint, upon such terms and upon the giving of such security or without security as the judge deems best, a trustee with power to manage and sell the property upon which the lien is filed, such management and sale to be under the supervision and direction of the court, and shall be approved by the court.

Reference to
Judge or
officer.

- (5) The judge in chambers may in his discretion, refer the application so made to the judge or officer having jurisdiction to try the action, who may hear *viva voce* or affidavit evidence upon the application, and who shall have the same powers as are conferred upon the judge under subsection 4.

Property
offered for
sale.

- (6) Any property directed to be sold under the provisions of this section, may be offered for sale subject to any mortgage or other charge or encumbrance if the judge or other officer having jurisdiction so directs, but only in cases where there is no dispute whatever as to the priority of any such mortgage.

Proceeds
to be paid
into court.

- (7) The proceeds of any sale made by a trustee under the provisions of subsection 4 or 5, shall be paid into court and be subject to the claims of all lienholders, mortgagees or other parties interested in the lands so sold as their respective rights may be determined and in so far as applicable the provisions of section 36 shall apply.

Order for
completion
of sale.

- (8) The judge of the Supreme Court or the judge or officer having jurisdiction as aforesaid as the case may be, shall make all necessary orders for the completion of the sale for the vesting of the property in the purchaser.

Vesting
of title.

- (9) Any such vesting order so made of property so sold by a trustee appointed as aforesaid shall vest the title of the property free from all lienholders' claims, encumbrances and interests of any kind including dower, except in cases where sale is made subject to any mortgage, charge, encumbrance or interest as hereinbefore provided, but nothing in this section or in this Act shall be deemed to extinguish the right to dower, if any, of any married woman or the right to have the value of the same ascertained and deducted from the proceeds of the same so paid into court.

Commence-
ment of Act.

9. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 20.

An Act to aid in the Prevention and Settlement
of Industrial Disputes.*Assented to March 29th, 1932.*

HIS MAJESTY, by and with the advice and consent of
the Legislative Assembly of the Province of Ontario,
enacts as follows:

1. This Act may be cited as *The Industrial Disputes* Short title.
Investigation Act, 1932.

2. The provisions of the *Industrial Disputes Investi-* Adoption
gation Act, being chapter 112 of the Revised Statutes of of R.S.C.
Canada, 1927, shall apply to every industrial dispute of the 1927, c. 112.
nature in the said Act defined which is within or subject to
the exclusive legislative jurisdiction of the Province.

3. The Lieutenant-Governor in Council may by proclama- Adoption
tion apply the provisions of any amendment to the said Act of future
which may hereafter be enacted by the Parliament of Canada enactments
to every industrial dispute of the nature in the said Act by procla-
defined which is within or subject to the exclusive legislative mation.
jurisdiction of the Province whereupon those provisions shall
apply accordingly.

4. Nothing in this Act contained shall apply to or affect Saving.
any Commission the members of which are appointed by the
Crown.

5. *The Trade Disputes Act*, being chapter 178 of the Repeal.
Revised Statutes of Ontario, 1927, is repealed.

6. This Act shall come into force on a day to be named Commence-
by the Lieutenant-Governor by his Proclamation. ment of Act.

CHAPTER 21.

An Act to amend The Workmen's Compensation Act.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The Workmen's Compensation Act, 1932*.

Rev. Stat.,
c. 179, s. 49,
subs. 1,
amended.

2.—(1) Subsection 1 of section 49 of *The Workmen's Compensation Act* is amended by striking out the words "medical and surgical" in the third and fourth lines and inserting in lieu thereof the words "medical, surgical and dental" and by inserting after the word "apparatus" in the sixth line the words "and dental appliances and apparatus," so that the subsection shall now read as follows:

Medical,
surgical and
dental aid.

(1) Every workman entitled to compensation under this Part, or who would have been so entitled had he been disabled for seven days shall be entitled to such medical, surgical and dental aid and hospital and skilled nursing services as may be necessary as a result of the injury, and shall be entitled to such artificial member or members and apparatus and dental appliances and apparatus as may be necessary as a result of the injury and to have the same kept in repair for a period of one year.

Rev. Stat.,
c. 179, s. 49,
subs. 2,
amended.

(2) Subsection 2 of the said section 49 is amended by striking out the words "medical and surgical" in the first and second lines and inserting in lieu thereof the words "medical, surgical and dental," so that the subsection shall now read as follows:

"Medical
aid."

(2) In this Act "medical aid" shall mean the medical, surgical and dental aid and hospital and skilled nursing services and the artificial member or members and apparatus and repair above mentioned.

3. Section 66 of *The Workmen's Compensation Act* is Rev. Stat.,
c. 179, s. 66,
amended. amended by adding thereto the following subsection:

- (3) The Board, with the approval of the Lieutenant-Governor in Council, may establish and maintain a Super-annuation Fund. fund, or enter into arrangements with a duly licensed insurance company or insurance companies for the payment of superannuation allowances or allowances upon the death or disability of its employees, and may make regulations providing for contributions to the fund by the Board and by its employees, and for the terms and conditions upon which any superannuation or other allowance shall be payable and the persons to whom the same may be paid and the costs of maintaining and administering the same shall be deemed part of the cost of the administration of the Board and shall be chargeable to the accident fund.

4. Section 76 of *The Workmen's Compensation Act* is Rev. Stat.,
c. 179, s. 76,
amended. amended by striking out the words "once in each year and oftener if so required" in the second and third lines and inserting in lieu thereof the words "whenever required," so that the section shall now read as follows:

76. The Superintendent of Insurance or an officer of his Examination of accident fund by Insurance Department. Department named by him for that purpose shall whenever required by the Lieutenant-Governor in Council examine into the affairs and business of the Board for the purpose of determining as to the sufficiency of the accident fund and shall report thereon to the Lieutenant-Governor in Council.

5. Section 83 of *The Workmen's Compensation Act* is Rev. Stat.,
c. 179, s. 83,
amended. amended by adding thereto the following subsection:

- (6) Where in the opinion of the Board the ways, works, Merit System machinery and appliances in any industry conform to modern standards in such manner as to reduce the hazard of accidents to a minimum and the Board is convinced that all proper precautions are being taken by the employer for the prevention of accidents, the Board may reduce the amount of any contribution to the accident fund for which the employer is liable and the Board may at any time adopt a merit system with regard to any particular industry, classifying the employer according to the extent to which, in the opinion of the Board, the precautions taken for the prevention of accidents are modern, adequate and efficient.

Rev. Stat.,
c. 179,
amended.

6. *The Workmen's Compensation Act* is amended by adding thereto the following section:

Injury
to minor.

83a. Where the Board finds that an employer has employed a minor in violation of the law and a claim for injury to such minor is made, such unlawful employment shall not affect or prejudice the right of the claimant but the Board may exclude the industry from the class in which it is included and if it is so excluded the employer shall be individually liable to pay the compensation to which the minor or any dependent of such minor is entitled.

Rev. Stat.,
c. 179, s. 96,
subs. 3,
repealed.

7. Subsection 3 of section 96 of *The Workmen's Compensation Act* is repealed.

Rev. Stat.,
c. 179, s. 105,
subs. 1,
amended.

8. Subsection 1 of section 105 of *The Workmen's Compensation Act* is amended by inserting after the word "compensation" in the ninth line the words "and medical aid," so that the subsection shall now read as follows:

Failure
to make
return or pay
assessment.

(1) Any employer who refuses or neglects to make or transmit any pay roll, return or other statement required to be furnished by him under the provisions of section 88 or 108, or who refuses or neglects to pay any assessment or special or supplementary assessment or the provisional amount of any assessment, or any instalment or part thereof, shall in addition to any penalty or other liability to which he may be subject, pay to the Board the full amount or capitalized value, as determined by the Board, of the compensation and medical aid payable in respect of any accident to a workman in his employ which happens during the period of such default and the payment of such amount may be enforced in the same manner as the payment of an assessment may be enforced.

Rev. Stat.,
c. 179, s. 112,
subs. 3,
amended.

9. Subsection 3 of section 112 of *The Workmen's Compensation Act* is amended by inserting after the word "compensation" in the fourth line the words "and medical aid," so that the subsection shall now read as follows:

Default in
reporting
accident
or claim.

(3) Every employer who makes default in reporting or furnishing particulars of any accident or claim shall in addition to any other penalty or liability pay to the Board, if so ordered by the Board, the amount of compensation and medical aid awarded in respect of such accident or claim in accordance with the evidence or information otherwise obtained by the Board.

10. Schedule 3 to *The Workmen's Compensation Act* as amended by section 2 of *The Workmen's Compensation Act, 1931*, is further amended by adding thereto the following:

Rev. Stat.,
c. 179,
Sched. 3,
amended.

Bursitis.	Any process involving continuous rubbing, pressure or vibration of the parts affected.
Cancer.	Arising from the manufacture of pitch and tar.
Dermatitis (<i>venenata</i>).	Any process involving the use or direct contact with acids and alkalies or acids and oils capable of causing dermatitis (<i>venenata</i>).
Infected blisters.	Any process involving continuous friction, rubbing or vibration causing blisters or abrasions.

11. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-
ment of Act.

CHAPTER 22.

An Act to amend The Medical Act.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Medical Act, 1932*.

Rev. Stat.,
c. 196, s. 3,
subs. 1,
cls. a, b,
repealed.

2.—(1) The clauses lettered *a* and *b* in subsection 1 of section 3 of *The Medical Act* are repealed and the following substituted therefor:

Minister of Health.

(a) The Minister of Health for Ontario;

Representatives
from
universities,
colleges, etc.

(b) One member to be chosen from every university, college or body in the Province which is authorized to conduct a course or courses in the science and art of medicine and to grant degrees in the same and which is conducting actively such course or courses in medicine at the present time.

Representatives of
homœopathy.

(c) One member resident within the Province of Ontario to be duly elected by the licensed practitioners in homœopathy.

Rev. Stat.,
c. 196, s. 3,
subs. 1, cl. c,
amended.

(2) The clause lettered *c* in subsection 1 of the said section 3 is relettered *d* and is amended by striking out the words "eighteen members to be elected" in the first line and inserting in lieu thereof the words "ten members to be elected," so that the clause shall now read as follows:

Elected members.

(d) Ten members to be elected in the manner hereinafter provided from amongst and by the registered members of the profession other than those mentioned in the preceding clauses of this section.

Rev. Stat.,
c. 196, s. 3,
subs. 3,
amended.

(3) Subsection 3 of the said section 3 is amended by adding at the end thereof the words "resident within the Province of Ontario" so that the subsection shall now read as follows:

- (3) Every member of the Council appointed under subsection 1 shall be a legally qualified medical practitioner resident within the Province of Ontario. Members of Council,—qualifications.

(4) Subsection 4 of the said section 3 is amended by striking out the word "eighteen" in the first line and inserting in lieu thereof the word "ten." Rev. Stat., c. 196, s. 3, subs. 4, amended.

(5) Subsection 5 of the said section 3 is repealed and the following substituted therefor: Rev. Stat., c. 196, s. 3, subs. 5, repealed.

- (5) One member shall be so elected from each of the territorial divisions numbered 1 to 8 inclusive and two members shall be elected from territorial division number 9 mentioned in schedule "A" to this Act by the registered practitioners of medicine resident in such division, and the manner of holding such election shall, with respect to the time thereof and the taking of the votes therefor, be determined by a by-law to be passed by the Council, and in default of such by-law being passed the Lieutenant-Governor in Council shall prescribe the time and manner of holding such election. Elections,—how to be conducted.

3.—(1) Subsection 1 of section 4 of *The Medical Act* is amended by inserting after the word "council" in the first line the words "other than the Minister of Health for Ontario" and by inserting the words "or until their successors are elected or appointed," after the word "years" in the second line, so that the first clause of the subsection shall now read as follows: Rev. Stat., c. 196, s. 4, subs. 1, amended.

- (1) The members of the Council other than the Minister of Health for Ontario shall be elected or appointed, as the case may be, for a period of four years or until their successors are elected or appointed. Term of membership.

(2) Subsection 2 of the said section 4 is amended by striking out the words "the remaining representatives of the homœopathic system in the Council" in the third and fourth lines and inserting in lieu thereof the words "the remaining practitioners of the homœopathic system in Ontario," and by striking out the word "in" before the word "homœopathy" in the last line and inserting in lieu thereof the words "resident in Ontario and actually engaged in the practice of," so that the subsection shall now read as follows: Rev. Stat., c. 196, s. 4, subs. 2, amended.

- (2) In the event of the death or resignation of any member of the Council representing the practitioners of the homœopathic system of medicine, the remaining practitioners of the homœopathic system in Ontario may fill such vacancy by selecting from Vacancies in respect of homœopathic members of Council.

amongst the duly registered practitioners resident in Ontario and actually engaged in the practice of homœopathy, a person to fill the vacancy.

Rev. Stat.,
c. 196, s. 4,
subs. 3,
repealed.

(3) Subsection 3 of the said section 4 is repealed and the following substituted therefor:

Notice
of date of
nomination.

(3) The Registrar shall, not more than sixty nor less than forty days before the time for receiving nominations for any quadrennial election under this Act, notify by letter or post card every registered medical practitioner in Ontario of the date of receiving such nominations, and in case of an election to fill a vacancy the Registrar shall, not more than thirty nor less than fifteen days before the time for receiving nominations, notify by letter or post card every registered medical practitioner entitled to vote thereat of the date of receiving nominations to fill the vacancy.

Rev. Stat.,
c. 196, s. 5,
amended.

4. Section 5 of *The Medical Act* is amended by adding at the end thereof the words "resident in Ontario," so that the section shall now read as follows:

Persons
entitled to
vote.

5. The persons entitled to vote under this Act at any election shall be all duly registered practitioners resident in Ontario.

Rev. Stat.,
c. 196, s. 6,
subs. 1,
repealed.

5. Subsection 1 of section 6 of *The Medical Act* is repealed and the following substituted therefor:

Transfer
to different
class on
voters' list.

(1) Any member of the college may have his name transferred from one class of voters to any other class on his presenting to the registrar a certificate authorized by the executive committee and duly signed by its chairman testifying that the member so applying to have his name transferred has shown a sufficient knowledge of the system of medicine with which he desires to connect himself to entitle him to be admitted to the class to which he desires to be transferred and on being so admitted he shall be entitled to vote in that class only.

Rev. Stat.,
c. 196, s. 9,
subs. 1,
amended.

6.—(1) Subsection 1 of section 9 of *The Medical Act* is amended by inserting the words "or vice-president" after the word "president" in the fourth and fifth lines, and by striking out the word "circular" in the seventh line, so that the subsection shall now read as follows:

Meetings
of Council.

(1) The Council may make rules and regulations as to the times and places of meetings of the Council, and the mode of summoning the same, and in the absence

of any rule or regulation as to the summoning of meetings the president or vice-president or, in the event of his absence or death, the Registrar may summon a meeting to be held at such time and place as to him seems fit, by letter mailed to each member.

(2) Subsection 2 of the said section 9 is amended by striking out the word "president" in the last line and inserting in lieu thereof the word "chairman," so that the subsection shall now read as follows: Rev. Stat., c. 196, s. 9, subs. 2, amended.

(2) In the event of the absence of the president from any meeting, the vice-president or, in his absence, some other member to be chosen from among the members present, shall act as chairman. Absence of president.

(3) Subsection 3 of the said section 9 is amended by striking out the word "nine" in the second line and inserting in lieu thereof the word "seven." Rev. Stat., c. 196, s. 9, subs. 3, amended.

(4) Subsection 4 of the said section 9 is repealed and the following substituted therefor: Rev. Stat., c. 196, s. 9, subs. 4, repealed.

(4) At all meetings the chairman shall in the case of an equality of votes have a casting vote in addition to the vote he is entitled to as a member. Casting vote.

7. Section 11 of *The Medical Act* is repealed and the following substituted therefor: Rev. Stat., c. 196, s. 11, repealed.

11. The Council shall annually elect a president and vice-president from among its members and shall also appoint a registrar-treasurer and such other officers as may from time to time be necessary for giving effect to this Act, who shall hold office during the pleasure of the Council; and the Council may fix the salaries or fees to be paid to such officers, and to the Board of Examiners hereinafter mentioned. Appointment of officers.

8. Subsections 2 and 3 of section 14 of *The Medical Act* are repealed and the following substituted therefor: Rev. Stat., c. 196, s. 14, subs. 2, 3, repealed.

(2) Until a homœopathic medical college for teaching purposes is established in Ontario, candidates wishing to be registered as homœopathists shall pass the matriculation examination referred to in section 1 hereof, as the preliminary examination for all students in medicine, and shall present evidence of having spent the full period of study required by the

curriculum of the Council in a duly approved homœopathic medical college under the supervision of a duly registered homœopathic practitioner.

Compliance
with curri-
culum.

- (3) Such candidates must also have complied with the full curriculum of studies, prescribed from time to time by the Council for all medical students, but the full time of attendance upon lectures and hospitals required by the curriculum of the Council, may be spent in such homœopathic medical colleges in the United States of America or in Europe as may be recognized by a majority of the homœopathic members of the Council, provided only that the time so spent shall not be less in length than that required of other students; but in all homœopathic colleges, where the winter course of lectures is of only four months duration, certified tickets of attendance on one such course shall be held to be equivalent to two-thirds of one six-months course as required by the Council; and when such teaching body has been established in Ontario it shall be optional for such candidates to pursue in part or in full the required curriculum in Ontario.

Rev. Stat.,
c. 196, s. 16,
subs. 2,
repealed.

9. Subsection 2 of section 16 of *The Medical Act* is repealed and the following substituted therefor:

Standard
for matri-
culation.

- (2) Where the Council adopts a lower standard for matriculation than that required for graduation in Arts, such standard shall conform to the present departmental middle school examination (pass matriculation) or its equivalent.

Rev. Stat.,
c. 196, s. 20,
subs. 2,
ss. 21, 22,
repealed.

10. Subsection 2 of section 20 and sections 21 and 22 of *The Medical Act* are repealed.

Rev. Stat.,
c. 196, s. 24,
subs. 2,
repealed.

11. Subsection 2 of section 24 of *The Medical Act* is repealed and the following substituted therefor:

Examiners—
how ap-
pointed.

- (2) The Board of Examiners shall be composed as follows: One member from each of the medical teaching bodies now existing or hereafter authorized and established as referred to in section 3 of this Act, and not less than a like number of members to be chosen from among those members of the College of Physicians and Surgeons of Ontario, who are not connected with any of the above teaching bodies.

Rev. Stat.,
c. 196, s. 25,
repealed.

12. Section 25 of *The Medical Act* is repealed and the following substituted therefor:

25. The examinations shall be held at Toronto at such times and in such manner as the Council by by-law directs and may also be held at Kingston and London if not less than ten candidates apply for examination at such cities. Where examinations to be held.

13. Subsection 4 of section 30 of *The Medical Act* is repealed and the following substituted therefor: Rev. Stat., c. 196, s. 30, subs. 4, repealed.

- (4) Upon receipt of proof of the finding or decision of any court of record in the Dominion of Canada, civil or criminal, that a criminal offence has been committed in connection with the practice of his profession by any registered medical practitioner, the Registrar shall immediately erase from the register the name of such practitioner. Removal from register after conviction by court.

14. Subsections 3 and 4 of section 33 of *The Medical Act* are repealed and the following substituted therefor: Rev. Stat., c. 196, s. 33, subs. 3, 4, repealed.

- (3) The committee shall meet from time to time for the despatch of business and subject to the provisions of this section, and of any regulations from time to time made by the Council, may regulate the summoning, notice, place, management and adjournment of such meetings, the appointment of a chairman, the mode of deciding questions and generally the transaction and management of business including the quorum, and if there is a quorum the committee may act notwithstanding any vacancy in their body and in case of a vacancy the committee may appoint a member of the Council to fill the vacancy until the next meeting of the Council. If through illness or for any other reason a member of this committee is unable or unwilling to act, the president, or in his absence the vice-president, shall have power to appoint a member in his place. Procedure.

- (4) The committee may, for the purpose of the execution of their duties under this Act, employ, at the expense of the Council, such legal or other assessor or assistant as the committee may think necessary or proper; and the person whose conduct is the subject of inquiry shall also have the right to be represented by counsel. All meetings of any such committee when held for taking evidence or otherwise ascertaining the facts shall be held either within the county where the member complained of resides or the alleged offence was committed or at the city of Toronto as may be determined by the Registrar. Legal assistance, etc. Right to counsel. Place of meeting.

Rev. Stat.,
c. 196, s. 35,
amended.

15. Section 35 of *The Medical Act* is amended by striking out the words "the sum of five cents per folio" in the seventh line and inserting in lieu thereof the words "the cost thereof," so that the section shall now read as follows:

Procedure.

35. The appeal may be by motion, notice of which shall be served upon the Registrar, and shall be founded upon a copy of the proceedings before the committee, the evidence taken, the committee's report and the order of the Council in the matter, certified by the Registrar, and the Registrar shall, upon the request of any person desiring to appeal and upon payment of the cost thereof furnish to any such person a certified copy of all proceedings, reports, orders and papers, upon which the committee have acted in making the order complained of.

Rev. Stat.,
c. 196, s. 40,
subs. 1,
amended.

16. Subsection 1 of section 40 of *The Medical Act* is amended by striking out the words "schedule C, or to the like effect, with the medical titles, diplomas and qualifications" in the fifth and sixth lines and inserting in lieu thereof the words "schedule B, or to the like effect, with the titles, diplomas and qualifications of medical character" so that the subsection shall now read as follows:

Register to
be printed
and
published.

(1) The Registrar shall from time to time under the direction of the Council cause to be printed and published a correct register of the names in alphabetical order according to the surnames, with the respective residences, in the form set forth in schedule B, or to the like effect, with the titles, diplomas and qualifications of medical character, and the dates thereof, of all persons appearing on the register as existing on the day of publication, and such register shall be called "The Ontario Medical Register."

Rev. Stat.,
c. 196, s. 42,
subs. 1,
amended.

17.—(1) Subsection 1 of section 42 of *The Medical Act* is amended by striking out the words "before the last day of December in each year" in the second and third lines and inserting in lieu thereof the words "in the month of January" so that the subsection shall now read as follows:

Medical
practitioners
to take out
annual
certificates.

(1) Every registered medical practitioner shall obtain from the Registrar annually in the month of January a certificate under the seal of the college, that he is a duly registered medical practitioner.

Rev. Stat.,
c. 196, s. 42,
subs. 6,
amended.

(2) Subsection 6 of the said section 42 is amended by striking out the words "all arrears of fees and dues owing to

the college" in the fourth and fifth lines and inserting in lieu thereof the words "\$2 in addition to all arrears of fees and dues," so that the subsection shall now read as follows:

- (6) Such medical practitioner may, unless otherwise disqualified under this Act, at any time after his name is so erased by the Registrar, obtain re-registration by applying to the Registrar and paying \$2 in addition to all arrears of fees and dues under this Act, and taking out his certificate as herein provided and he shall be thereupon reinstated to the full privileges enjoyed by other registered medical practitioners under this Act.

Re-registration upon payment of arrears.

- (3) Subsection 7 of the said section 42 is repealed.

Rev. Stat., c. 196, s. 42, subs. 7, repealed.

18. Subsection 2 of section 43 of *The Medical Act* is amended by striking out the word "nine" in the third line and inserting in lieu thereof the word "five."

Rev. Stat., c. 196, s. 43, subs. 2, amended.

19. Sections 47 and 48 of *The Medical Act* are repealed and the following substituted therefor:

Rev. Stat., c. 196, ss. 47, 48, repealed.

47. No person not registered shall practice medicine, surgery or midwifery for hire, gain or hope of reward, and if any person not registered pursuant to this Act, for hire, gain or hope of reward practices or professes to practice medicine, surgery or midwifery, or advertises to give advice in medicine, surgery or midwifery, he shall incur a penalty of not less than \$25 nor more than \$100 for the first offence, and for any subsequent offence a penalty of not less than \$100 nor more than \$500.
48. Any person who wilfully or falsely pretends to be a physician, doctor of medicine, surgeon or general practitioner, or assumes any title, addition or description other than he actually possesses and is legally entitled to, shall incur a penalty of not less than \$10 nor more than \$50 for the first offence and for any subsequent offence a penalty of not less than \$50 nor more than \$200.

Penalty for practising without registration.

Penalty for falsely pretending, etc.

20.—(1) Subsection 1 of section 49 of *The Medical Act* is amended by striking out all the words after the word "ailments" in the ninth line and inserting in lieu thereof the words "or physical defects or advertises or holds himself out as such, shall incur a penalty of not less than \$25 nor more than \$100

Rev. Stat., c. 196, s. 49, subs. 1, amended.

for the first offence, and for any subsequent offence a penalty of not less than \$100 nor more than \$500," so that the subsection shall now read as follows:

Use of
certain titles
restricted.

- (1) Any person not registered pursuant to this Act who takes or uses any name, title, addition or description implying or calculated to lead people to infer that he is registered under this Act, or that he is recognized by law as a physician, surgeon, accoucheur or a licentiate in medicine, surgery or midwifery, or who assumes, uses or employs the title "Doctor," "Surgeon" or "Physician" or any affix or prefix indicative of such titles as an occupational designation relating to the treatment of human ailments or physical defects, or advertises or holds himself out as such shall incur a penalty of not less than \$25 nor more than \$100 for the first offence, and for any subsequent offence a penalty of not less than \$100 nor more than \$500.

Penalty.

Rev. Stat.,
c. 196, s. 49,
subs. 2,
amended.

- (2) Subsection 2 of the said section 49 is amended by striking out the words "nor to any person registered as a pharmaceutical chemist under *The Pharmacy Act*" at the end thereof, so that the subsection shall now read as follows:

Exception as
to dentistry.

- (2) Subsection 1 shall not apply to any licentiate of dental surgery or any other person admitted to practise dentistry or dental surgery under the provisions of *The Dentistry Act*.

Rev. Stat.,
c. 198.

Rev. Stat.,
c. 196, s. 50,
repealed.

- 21.** Section 50 of *The Medical Act* is repealed and the following substituted therefor:

Not
entitled to
recover
charges
unless
registered.

50. No person shall be entitled to recover any charge in any court for any medical or surgical advice, or for attendance, or for the performance of any operation, or for any medicine which he may have prescribed or supplied, unless he produces to the court a certificate that he was registered under this Act at the time the services were rendered, but this section shall not extend to the sale of any drug or medicine by any duly authorized chemist or druggist.

Rev. Stat.,
c. 196, s. 60,
amended.

- 22.** Section 60 of *The Medical Act* is amended by striking out the words "Revised Statutes of Canada, 1906, chapter 137," in the second and third lines and inserting in lieu thereof the words "Revised Statutes of Canada, 1927, chapter 129," so that the section shall now read as follows:

60. Subject to the provisos and conditions therein contained, the *Canada Medical Act*, Revised Statutes of Canada, 1927, chapter 129, and amendments thereto are accepted and shall apply to the Province of Ontario, and registration by the Medical Council of Canada shall be accepted as equivalent to registration for the like purposes under this Act.

Application
of R.S.C.
129.

23. Schedules "A," "B" and "C" to *The Medical Act* are repealed and the schedules "A" and "B" set out in this Act are substituted therefor.

Rev. Stat.,
c. 196,
Scheds. A. B.
and C.
repealed.

24. This Act shall come into force on the 1st day of July, 1932, but members of the Council shall continue until the present term expires in October, 1932.

Commence-
ment of Act.

SCHEDULE "A"

TERRITORIAL DIVISIONS

(CONSISTING OF THE FOLLOWING COUNTIES, DISTRICTS AND CITY)

- | | |
|-------------|----------------------|
| 1—Essex | 6—Peterborough |
| Kent | Northumberland |
| Lambton | Prince Edward |
| Elgin | Hastings |
| | Lennox and Addington |
| 2—Middlesex | Frontenac |
| Norfolk | Renfrew |
| Oxford | Leeds |
| Perth | |
| Huron | 7—Lanark |
| | Grenville |
| 3—Bruce | Carleton |
| Grey | Dundas |
| Dufferin | Stormont |
| Waterloo | Glengarry |
| Brant | Russell |
| Wellington | Prescott |
| | |
| 4—Haldimand | 8—Haliburton |
| Welland | Muskoka |
| Lincoln | Parry Sound |
| Wentworth | Nipissing |
| | Temiskaming |
| 5—Simcoe | Sudbury |
| Halton | Algoma |
| Peel | Thunder Bay |
| York | Rainy River |
| Ontario | Patricia |
| Durham | |
| Victoria | 9—City of Toronto |

SCHEDULE "B"
FORM OF REGISTER

<i>Name</i>	<i>Residence</i>	<i>Qualifications and Additions</i>
A.B.	Toronto, County of York.....	M.A., M.D., University of Toronto
C.D.	Kingston, County of Frontenac	M.A., M.D., Queen's University
E.F.	Etobicoke, County of York....	M.A., M.D., University of Western Ontario
G.H.	Toronto.....	M.A., M.D., University of Toronto

CHAPTER 23.

An Act respecting Operating Engineers.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Operating Engineers Act*, Short title.
1932.

2. In this Act,—

Interpre-
tation.

- (a) "Air compressor plant" shall mean and include a compressor or compressors, driven by power other than steam, and every part thereof and things connected therewith and used with reference to any such compressor used for the purpose of compressing air or other gas, and not used for refrigerating purposes; "Air compressor plant."
- (b) "Board" shall mean Board of Examiners, appointed as herein provided; "Board."
- (c) "Chief engineer" shall mean a person who, at all times, has full responsibility of the care and operation of boilers, engines, compressors and pumps and things connected therewith and used with reference to any such boilers, engines, compressors and pumps; "Chief engineer."
- (d) "Fireman" shall mean a person who operates a boiler or boilers of 200 horse power or less during the engineer's brief absence from the boiler room while engaged on duties concerning boilers, engines, compressors or pumps, or things used with reference to any such boiler, engine, compressor or pump. "Fireman."
- (e) "Hoisting plant" shall mean and include a steam boiler and steam engine or a steam or internal combustion engine or electric motor or engine driven by air and every part thereof, and things connected therewith and used with reference to any such

boiler,

boiler, engine or motor, when used as the motive power to operate machinery used for raising or lowering material, but said machinery shall not include conveyors nor passenger nor freight elevators, except when used during construction work, nor a permanent overhead electric crane mounted on a permanent structure;

"Horse power of an internal combustion engine."

- (f) "Horse power of an internal combustion engine" shall mean horse power as calculated from the following formula:

$$\text{H.P.} = \frac{(\text{diam. of cylinders in inches})^2 \times \text{number of cylinders}}{2.5}$$

"Horse power of a refrigerating or air compressor plant."

- (g) "Horse power of a refrigerating or air compressor plant" shall mean the brake horse power rating of the motive power driving the compressor or compressors;

"Horse power of a stationary steam plant composed of boilers."

- (h) "Horse power of a stationary steam plant composed of boilers" shall mean the equivalent to the evaporation of $34\frac{1}{2}$ pounds of water per hour from and at 212 degrees based on the peak load or 15 square feet heating surface for return tubular boilers—12 square feet heating surface for locomotive type boiler—10 square feet heating surface for water-tube boilers;

"Minister."

- (i) "Minister" shall mean Minister of Labour";

"Oiler."

- (j) "Oiler" shall mean a person who operates an engine or engines, pump or pumps, or compressor or compressors, during the brief absence of the engineer from the engine or compressor room while engaged on duties concerning boilers, engines, compressors or pumps, or things used with reference to any such boilers, engines, compressors, or pumps, but not while absent from the plant;

"Portable plant."

- (k) "Portable plant" shall mean and include a steam boiler and every part thereof and things connected therewith and used with reference to any such boiler used for construction work and not mounted on a self-propelling vehicle;

"Refrigerating plant."

- (l) "Refrigerating plant" shall mean and include a compressor or compressors, driven by power other than steam, and every part thereof and things

connected

connected therewith and used with reference to any such compressors, where used in the process of refrigeration and located in one building or adjoining buildings;

- (m) "Regulations" shall mean regulations made under ^{"Regulations."} the authority of this Act;
- (n) "Shift engineer" shall mean a person who operates ^{"Shift engineer."} and takes charge of boilers, engines, compressors or pumps under the direction of a chief engineer;
- (o) "Stationary steam plant" shall mean and include a ^{"Stationary steam plant."} steam boiler or boilers, steam engine or engines, steam pump or pumps, or any combination of engines, boilers, and pumps and every part thereof and thing connected therewith, or used with reference to any such boilers, engines or pumps, in one building, or in two or more buildings, if said buildings are not separated by a distance of more than three hundred feet and under the one management;
- (p) "Traction plant" shall mean and include a steam ^{"Traction plant."} boiler and steam engine and every part thereof and things connected therewith and used with reference to any such boiler or engine, when used as the motive power to operate machinery mounted on a self-propelling vehicle and used for traction purposes or road construction work;
- (q) "Watchman" of boilers shall mean a person who ^{"Watchman."} takes charge of a boiler or boilers exceeding 25 horse power and discharging steam, when the engineer is absent from the plant and when the total evaporation of water in the said boiler or boilers is less than 25 horse power in any one hour during the period of the engineer's absence.

3. Nothing in this Act shall apply to the operation of any ^{Exceptions.} stationary steam plant or refrigerating plant or air compressor plant having a capacity of 25 horse power or less, nor to a plant of 35 horse power or less composed of a boiler and a compressor, providing each unit is less than 25 horse power, nor to a hoisting plant, when the motive power is an internal combustion engine or electric motor of 25 horse power or less, nor to steam boiler or boilers equipped with safety valve set to relieve the steam pressure at 15 pounds or under, providing the aggregate horse power of said boiler or boilers situated in one plant does not exceed 200 horse power, nor to the operation of a locomotive used on a chartered railroad,

nor to steam boats, nor to tugs, nor any plant situated on a vessel floating on navigable waters, and not adjacent to the shore, nor to a hoist at a mine, nor to boilers or engines used for agricultural purposes.

Board of
Examiners.

4.—(1) The Lieutenant-Governor in Council may appoint a board of examiners consisting of three or five competent and independent engineers, one of whom shall be designated as chairman, who shall possess the qualifications required by the regulations and shall hold office during pleasure and, subject to the regulations mentioned in the following section, shall prescribe the subjects in which candidates for certificates of qualification as stationary or hoisting and traction engineers shall be examined and shall conduct or provide for and supervise the examination of candidates and report thereon to the Minister.

Staff of
Board

(2) The Lieutenant-Governor in Council may appoint such examiners, officers, inspectors, clerks and servants of the Board as may be deemed necessary.

Regulations.

5. The Lieutenant-Governor in Council upon the recommendation of the Minister may make regulations for:

- (a) prescribing the qualifications to be required in the case of members of the Board of Examiners;
- (b) the examination of candidates, the granting of certificates, the classifying of the holders of certificates into their respective grades and the evidence to be furnished by candidates as to previous training or experience and sobriety and good character;
- (c) determining the time of duration of certificates and their renewal;
- (d) fixing the fees to be paid by candidates upon examination and for certificates and their renewal;
- (e) prescribing the causes for which a certificate may be revoked, cancelled or suspended;
- (f) fixing the fees or other remuneration to be paid to members and officers of the Board.

Qualifica-
tion of
Candidates.

6. A person shall not be eligible for examination unless he is a British subject, or has expressed his intention of becoming a Canadian citizen and has the necessary residence qualifications for becoming a Canadian citizen required by the Dominion *Naturalization Act* and has made application to the proper authorities for naturalization papers.

7.—(1) On the recommendation of the Board, and on payment of the prescribed fees, the Minister may issue certificates of qualification to engineers and firemen, and certificates of registration to plant owners.

(2) Subject to the regulations, a certificate may be revoked, cancelled or suspended by the Minister on the recommendation of the Board at any time.

(3) It shall be the duty of all owners of steam plants and refrigeration and compressor plants to advise the Board, on a printed form, supplied by the Board on application, of the horse power of the plant and pressure at which safety valves on boilers and tanks are set to relieve said pressure, on receipt of which, the Minister may issue a registration certificate. Any change made in the plant subsequent to registration will necessitate a registration of same.

(4) It shall be the duty of all owners of internal combustion engines to supply the Board, upon request, with information regarding the diameter and number of cylinders.

8. The duties of an engineer may be performed for a period not exceeding fourteen days by any person, providing the engineer, for reasons other than dismissal, absents himself from his post without having given seven days' notice; provided that at the end of such period an engineer with the proper qualifications is employed.

9. The Board at its discretion may grant a provisional certificate of corresponding horse power to be good for a period not to exceed one year to any person who holds an engineer's certificate from the Board or other duly constituted authority of any other province of Canada.

10.—(1) The certificate of qualification shall at all times be exposed to view in the engine, compressor or boiler room in which the holder thereof is employed, except in the case of a hoisting, traction or portable plant, when such certificate shall be carried upon the person of the operator.

(2) The certificate of plant registration shall at all times be exposed to view in the engine, compressor or boiler room of the plant.

(3) Failure to comply with the provisions of subsections 1 and 2 of this section shall be *prima facie* evidence of the lack of qualification under this Act.

11. This Act shall not apply to workmen acting under the personal direction or supervision of an engineer holding a certificate

Certificates of qualification.

Revocation or suspension.

Particulars as to plants to be furnished by owners.

Information to be supplied on request.

Operating without certificates.

Provisional certificates.

Engineer's certificate when to be kept on view.

Plant registration certificate to be exposed to view.

Non-compliance evidence of lack of qualification.

Application of Act to persons other than engineers.

certificate under this Act, who is actually in charge of a steam or refrigeration plant, nor to the employees of steam or refrigeration plant contractors engaged in installing, setting up or testing a boiler or steam or refrigeration plant. This section shall not apply to hoisting engineers.

Appeal to
Minister
from Board.

12. Any person who deems himself aggrieved by the decision of the Board, may appeal therefrom to the Minister, upon giving such notice as the Minister may prescribe, and the decision of the Minister shall be final.

Annual
Report of
Board.

13. The Board shall on or before the 15th day of November in every year make to the Minister a report in writing for the year ending on the 31st day of October of the previous year showing,—

- (a) the number of certificates granted;
- (b) the number of applications for certificates refused and the causes for refusal;
- (c) the number of certificates revoked, cancelled or suspended, and the causes for same;
- (d) the amount of fees received from candidates or holders of certificates;
- (e) the number of plants registered during the year;
- (f) the amount of fees received from plant owners for registration purposes;
- (g) such other matters as may be directed by the Minister or the Lieutenant-Governor in Council.

Right to
enter
premises.

14.—(1) Any member of the Board or any inspector on presentation of authority in writing, signed by the Minister, may enter any premises wherein he has reason to believe there is a plant, and make such inspection as may be necessary to determine whether the provisions of this Act are being complied with.

Penalty for
interfering.

(2) Any person who interferes with or obstructs a member of the Board or inspector in the exercise of the powers conferred on him, shall incur a penalty not exceeding \$100 and not less than \$10.

Penalty for
impersona-
tion.

(3) Any person impersonating another and presenting himself for examination under a false name in order to obtain a certificate for a person other than himself, shall incur a penalty not exceeding \$200 and not less than \$50.

15. Every person who,—

Penalty for
operating
without
certificate.

- (a) except as provided in section 8, operates a steam or refrigeration or air compressor or hoisting or traction or portable plant as the engineer in charge thereof, or as fireman or oiler at a stationary steam or refrigerating plant under an engineer, without the certificate required by this Act, or employs or permits any person to operate a stationary steam plant or refrigeration plant or air compressor plant or hoisting or traction or portable plant as the engineer in charge or as fireman or oiler at a stationary steam or refrigeration plant without such certificate; or,
- (b) is guilty of a contravention of subsection 3 or 4 of section 7;

shall incur a penalty not exceeding \$50 and not less than \$25.

16. It shall be the duty of the inspectors of factories, ^{Duty of factory inspectors.} appointed under *The Factory, Shop and Office Building Act, 1932*, to assist in the enforcement of this Act, and to report to the Board any violation thereof.

17. The penalties provided by this Act shall be recoverable ^{Penalties recoverable under Rev. Stat., c. 121.} under *The Summary Convictions Act*, and all fees collected shall be remitted to the Chairman of the Board of Examiners of Operating Engineers, cheques being made payable to the Treasurer of Ontario.

18. *The Stationary and Hoisting Engineers Act*, being ^{Rev. Stat., c. 207,} Chapter 207 of the Revised Statutes of Ontario, 1927, is ^{repealed.} repealed.

19. This Act shall come into force on the day upon which ^{Commence-ment of Act.} it receives the Royal Assent

CHAPTER 24.

An Act to amend The Insurance Act.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Insurance Act, 1932*.

Rev. Stat.,
c. 222, s. 1,
pars. 5, 6,
repealed.

2. Paragraph 5, as amended by subsection 1 of section 2 of *The Insurance Act, 1929*, and paragraph 6 of section 1 of *The Insurance Act* are repealed and the following substituted therefor:

"Auto-
mobile."

5. "Automobile" includes all self-propelled vehicles, their trailers, accessories and equipment but not railway rolling stock, watercraft or aircraft of any kind.

"Automobile
insurance."

6. "Automobile insurance" means insurance against liability for loss or damage to persons or property caused by an automobile or the use or operation thereof, and against loss of or damage to an automobile.

Rev. Stat.,
c. 222,
subs. 1,
amended.

3. Subsection 1 of section 70 of *The Insurance Act* is amended by adding at the commencement thereof the following words: "Subject to the provisions of section 237a."

Rev. Stat.,
c. 222, s. 96,
amended.

4. *The Insurance Act* is amended by adding thereto the following section:

No racial or
religious dis-
crimination
permissible.

92a. Any licensed insurer which discriminates unfairly between risks within Ontario because of the race or religion of the insured shall be guilty of an offence.

Rev. Stat.,
c. 222, s. 106,
subs. 4,
amended.

5. Subsection 4 of section 106 of *The Insurance Act* is amended by striking out the words "the third year or second and third years as the case may be of" in the sixth and seventh lines, and by adding at the end thereof the words "calculated as required by subsection 5 of section 70."

6. *The Insurance Act* is amended by adding thereto the following section: Rev. Stat., c. 222, amended.

237a. Where the constitution, by-laws or rules of a mutual benefit society which grants benefits solely through subordinate lodges or branches provide for a fiscal year other than the calendar year, the Superintendent may, in his discretion, accept statements from such a society showing its affairs as at the end of its fiscal year instead of as at the end of the calendar year. Exception as to annual statement.

7. Section 254 of *The Insurance Act* is amended by striking out the words "one and one-third" in the third line and inserting in lieu thereof the word "two," so that the section shall now read as follows: Rev. Stat., c. 222, s. 254, amended.

254. The attorney shall, on or before the 1st day of March in each year, pay to the Treasurer of Ontario for the use of the Province, an annual tax equal to two per centum of the gross premiums or deposits collected from subscribers in respect of risks located in Ontario during the preceding calendar year after deducting returns for cancellations, considerations for re-insurances with licensed insurers and all amounts returned to subscribers or credited to their accounts as savings during such year. Annual tax

8.—(1) Subsection 15 of section 256 of *The Insurance Act* is amended by adding at the end thereof the words: "and further provided that in the case of insurers authorized to undertake classes of insurance other than life insurance, officers or employees whose applications for license as insurance agents have been refused or whose licenses have been revoked or suspended, may not so act without the written approval of the Superintendent." Rev. Stat., c. 222, s. 256, subs. 15, amended.

(2) Subsection 15a of the said section 256 as enacted by subsection 2 of section 10 of *The Insurance Act, 1930*, is amended by striking out the word "railway" in the second line and inserting in lieu thereof the word "transportation" and by striking out the word "railway" in the third line. Rev. Stat., c. 222, s. 256, subs. 15a, (1930, c. 41, s. 10, subs. 2) amended.

9. Subsection 2 of section 265 of *The Insurance Act* is amended by adding at the end thereof the words: "or in the placing of insurance for one person, firm, corporation, estate or family." Rev. Stat., c. 222, s. 265, subs. 2, amended.

10. Section 267 of *The Insurance Act* is amended by adding at the end thereof the words "and that he has been guilty of an offence." Rev. Stat., c. 222, s. 267, amended.

Application
of section 85.

11. Notwithstanding the repeal of section 85 of *The Insurance Act* by virtue of section 6 and subsection 2 of section 13 of *The Insurance Act, 1930*, section 85 shall be deemed to be in force and apply to all rights of action arising out of injury or damage occurring prior to the 1st day of September, 1930.

Commence-
ment of Act.

12. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 25.

An Act to amend The Insurance Act (respecting
Automobile Insurance).*Assented to March 29th, 1932.*

HIS MAJESTY, by and with the advice and consent of
the Legislative Assembly of the Province of Ontario,
enacts as follows:

1. This Act may be cited as *The (Automobile) Insurance Act* Short title.
Act, 1932.

2. Part VI of *The Insurance Act* as amended by sections Rev. Stat.,
14, 15 and 16 of *The Insurance Act, 1929*, is repealed and c. 222,
the following substituted therefor: Part VI,
repealed.

PART VI.

AUTOMOBILE INSURANCE.

169. In this Part, unless the context otherwise requires: Interpreta-
tion.

- (a) "Automobile" includes all self-propelled vehicles, "Automobile."
their trailers, accessories and equipment, but not
railway rolling stock, watercraft or aircraft of any
kind;
- (b) "Automobile insurance" means insurance "Automobile
insurance." against
liability for loss or damage to persons or property
caused by an automobile or the use or operation
thereof, and against loss of or damage to an
automobile;
- (c) "Contract" includes any writing evidencing a "Contract."
contract, and an oral agreement;
- (d) "Driver's policy" means a motor vehicle liability "Driver's
policy."
policy, insuring a person named therein in respect
of the operation or use by him of any automobile
other than an automobile owned by him or registered
in his name;

(e)

- "Insured." (e) "Insured" means a person insured by a contract whether named or not;
- "Motor vehicle liability policy." (f) "Motor Vehicle Liability Policy" means a policy or that part of a policy insuring the owner or driver of an automobile against liability for loss or damage to persons or property;
- "Owner's policy." (g) "Owner's Policy" means a motor vehicle liability policy insuring a person named therein in respect of the ownership, operation or use of any automobile owned by him and designated in the policy;
- "Policy." (h) "Policy" means the instrument evidencing a contract.

Application of Part.

- Application of Part. 170.—(1) This Part shall apply to automobile insurance and to any insurer carrying on the business of automobile insurance in the Province and to all contracts made in the Province on or after the date of coming into force of this Part.
- Insurance of automobile by fire policy. (2) Nothing in this Part shall prevent the insurance of an automobile against loss or damage by fire under a policy of fire insurance, and in that event this Part shall not apply.

Application for Insurance.

- Requirements as to written applications. 171.—(1) No insurer shall make any contract for a period exceeding fourteen days without a written application therefor, signed by the applicant or his agent, duly authorized in writing.
- Persons forbidden to act as agent. (2) No person carrying on the business of financing the sale or purchase of automobiles, and no automobile dealer, insurance agent or broker, and no officer or employee of any such person, dealer, agent or broker, shall act as agent of the applicant under this section.
- Application for driver's policy. (3) Every written application for a driver's policy shall set forth:
- (a) the name, address and occupation or business of the applicant;
 - (b) particulars of any accident in which any automobile operated by the applicant has been involved within the three years preceding the application;

(c)

- (c) particulars of any claim made within such period against or by the applicant arising out of the use or operation of an automobile;
 - (d) whether any insurer has cancelled any policy of automobile insurance of the applicant or refused automobile insurance to him;
 - (e) whether any license, permit, registration certificate or other like authority, issued to the applicant under any law or statute of any province, state or country relating to automobiles, has been, or continued to be, suspended or cancelled within the three years preceding the application; and
 - (f) such further information as the insurer may require or the Superintendent may prescribe.
- (4) Every other written application shall set forth: Application
in other
cases.
- (a) the name, address and occupation or business of the owner;
 - (b) the description of the automobile to be insured;
 - (c) its purchase price to the owner, and whether fully paid or not;
 - (d) whether purchased new or otherwise;
 - (e) particulars of any mortgage, lien or encumbrance thereon;
 - (f) the place where it is and will usually be kept;
 - (g) the locality in which and the purpose for which it is and will be chiefly used;
 - (h) particulars of any accident in which any automobile owned or operated by the owner has been involved within the three years preceding the application;
 - (i) particulars of any claim made within such period against or by the owner arising out of the use or operation of an automobile;
 - (j) whether any insurer has cancelled any policy of automobile insurance of the owner, or refused automobile insurance to him;
 - (k) whether any license, permit, registration certificate or other like authority, issued to the owner or

a member of his family and household under any law or statute of any province, state or country relating to automobiles, has, to the knowledge of the applicant, been, or continued to be, suspended or cancelled within the three years preceding the application; and

- (l) such further information as the insurer may require or the Superintendent may prescribe.

Special contracts.

(5) Where the requirements of subsection 3 or 4 are, in the opinion of the Superintendent, inapplicable to any special form of contract, the Superintendent may prescribe the form of application or vary, omit or add to those requirements.

Red ink endorsement.

(6) Upon every written application and policy there shall be printed or stamped in conspicuous type, not less in size than ten point and in red ink, a copy of subsection 1 of section 177.

Renewal of contract.

(7) Where a contract is renewed without change or only the amount of the insurance, the rate of premium or the method of rating is changed, the renewal may be effected without a written application.

Copy of application.

(8) A copy of the application, or such part thereof as is material to the contract, shall be embodied in, endorsed upon or attached to the policy when issued by the insurer.

Amendment of contract.

172. Where it is proposed to change the subject-matter of a contract by substitution or addition of one or more automobiles, the insurer may so amend the contract by an endorsement of the policy, but in that case it shall obtain a written application signed in accordance with section 171 and containing such particulars required by that section as relate to the new subject-matter.

Policy of Insurance.

Contents of policy.

173.—(1) Every policy shall set forth:

- (a) the name and address of the insurer;
- (b) the name, address, occupation or business of the insured named therein;
- (c) the premium for the insurance;
- (d) the subject-matter of the insurance;

(e)

- (e) the indemnity for which the insurer may become liable;
- (f) the event on the happening of which liability is to accrue;
- (g) the term of the insurance; and
- (h) except in case of motor vehicle liability policies, the name of the person to whom the insurance money is payable.

(2) Unless otherwise expressly stated therein, any written application shall be deemed to be one for a policy embodying the terms and conditions of the insurer's corresponding standard policy form approved under this Part; and the policy shall be deemed to be in accordance with the application unless the insurer points out in writing to the insured named in the policy in what respect the policy differs from the application, and, in that event, the insured shall be deemed to have accepted the policy unless within one week from the receipt of the notification he informs the insurer in writing that he rejects the policy.

Discrepancy
between the
application
and the
policy.

(3) Notwithstanding any agreement, the insurer shall deliver or mail to the insured named therein the policy or a true copy thereof and every endorsement or amendment of the policy or a true copy thereof.

Insured
entitled to
copy.

174. Subject to sections 175 and 183 *j*:

Statutory
conditions.

- (a) The conditions set forth in this section shall be statutory conditions and deemed to be part of every contract of automobile insurance and shall be printed on every policy with the heading "Statutory Conditions."
- (b) No variation or omission of a statutory condition shall be valid nor shall anything contained in any addition to a statutory condition or in the description of the subject-matter of the insurance be effective in so far as it is inconsistent with, varies or avoids any such condition.

STATUTORY CONDITIONS

Material Change in Risk 1. (a) The insured named in the policy shall promptly notify the insurer, or its local agent, in writing, of any change in the risk material to the contract and within his knowledge.

(b) Without restricting the generality of the foregoing, the words "change in the risk material to the contract" shall include:—

Sale (i) any change in the insurable interest of the insured named in the policy in the automobile by sale, assignment or otherwise, except through change of title by succession, death or proceedings under *The Bankruptcy Act*;

Mortgage or Lien and in cases other than motor vehicle liability policies:

(ii) any mortgage, lien or encumbrance affecting the automobile after the application for the policy;

Other Insurance (iii) any other insurance of the same interest, whether valid or not, covering loss or damage insured by the policy or any portion thereof.

Prohibited Use 2. The automobile shall not, with the knowledge, consent or connivance of the insured named in the policy be used or driven:—

Intoxication (a) by any person under the influence of drink or drugs so as to be incapable of proper control of the automobile; or

Unlicensed Driver (b) by any person not qualified and authorized by law to drive the automobile; or in case the law does not prescribe any qualification or authority, by any person under the age of sixteen years; or

Prohibited Trade (c) for any illicit or prohibited trade or transportation; or

Racing (d) in any race or speed test.

Uses Prohibited Without Permission 3. Unless permission is expressly given by an endorsement of the policy and in consideration of an additional stated premium, the automobile shall not be rented or leased nor shall it be used:—

Trailer (a) with trailer attached; or

Explosives (b) to carry explosives; or

Taxicab or Bus (c) as a taxicab, public omnibus, livery, jitney, or sight-seeing conveyance or for carrying passengers for compensation or hire.

Loss or Damage to Persons or Property 4. (1) The insured shall promptly give to the insurer written notice, with all available particulars, of any accident involving loss or damage to persons or property, and of any claim made on account of accident; shall verify by affidavit or statutory declaration, if required by the insurer, that the claim arises out of the operation or use of an automobile described in the policy and that the person operating or responsible for the operation of the automobile at the time of the accident is a person insured by the policy; and shall forward immediately to the insurer every writ, letter, document or advice received by him from or on behalf of the claimant.

Co-operation of Insured and Insurer in Claim Settlement (2) The insured shall not voluntarily assume any liability or settle any claim except at his own cost. The insured shall not interfere in any negotiations for settlement or in any legal proceeding, but, whenever requested by the insurer, shall aid in securing information and evidence and the attendance of any witness, and shall co-operate with the insurer, except in a pecuniary way, in the defence of any action or proceeding or in the prosecution of any appeal.

Loss or Damage to the Automobile

5. (1) Upon the occurrence of any loss of or damage to the insured automobile, the insured shall, if such loss or damage is covered by this policy:

Insured to give Notice of Claim

(a) forthwith give notice thereof, in writing, to the insurer, with fullest information obtainable at the time, and shall, at the expense of the insurer, and as far as reasonably possible, protect the automobile from further loss or damage, and any such further loss or damage accruing directly or indirectly from a failure to protect shall not be recoverable hereunder. No repairs shall be undertaken or any physical evidence of the loss or damage removed without the written consent of the insurer, except such repairs as are immediately necessary for the protection of the automobile from further loss or damage; or until the insurer has had a reasonable time to make the examination provided for in statutory condition 7.

Proof of Loss

(b) deliver to the insurer within ninety days of the date of the loss or damage a statutory declaration stating, so far as the insured knows or believes, the place, time, cause and amount of the loss or damage, the interest of the insured and of all others therein, the encumbrances thereon, all other insurance, whether valid or not, covering the automobile, and that the loss or damage did not occur through any wilful act or neglect, procurement, means or connivance of the insured.

Examination of Insured

(2) The insured shall submit to examination under oath, and shall produce for examination, at such reasonable place as is designated by the insurer or its representative, all documents in his possession or control which relate to the matters in question, and shall permit extracts and copies thereof to be made.

Insurer Liable For Cash Value of Automobile

(3) The insurer shall not be liable beyond the actual cash value of the automobile at the time any loss or damage occurs, and the loss or damage shall be ascertained or estimated according to such actual cash value with proper deduction for depreciation, however caused, and shall in no event exceed what it would cost to repair or replace the automobile or any part thereof with material of like kind and quality; provided that in the event of any part of the automobile being obsolete and out of stock, the liability of the insurer in respect thereof shall be limited to the value of such part at the time of loss or damage not exceeding the maker's last list price.

In Case of Disagreement

(4) In the event of disagreement as to the nature and extent of the repairs and replacements required, or as to their adequacy, if effected, or as to the amount payable in respect of any loss or damage, such questions shall be determined by appraisers before recovery can be had hereunder, whether the right to recover on the policy is disputed or not, and independently of all other questions.

Appraisal

(5) The insured and the insurer shall each select one appraiser, and the two so chosen shall then select a disinterested umpire. Thereafter the two appraisers together shall estimate or appraise the loss or damage, stating separately sound value and damage, or determine the adequacy of such repairs or replacements, and, failing to agree, shall submit their differences to the umpire.

Appointment of Appraisers

(6) In case either party fails to name an appraiser within seven clear days after being served with written notice so to do, or in case the appraisers fail to agree upon an umpire within fifteen days after their appointment, or in case an appraiser or umpire refuses to act or is incapable of acting, or dies, a Judge of a Superior, County or District Court having jurisdiction in the county or district in which the appraisal is to be made may appoint such appraiser or umpire on the application of the insured or of the insurer.

Award

(7) An award in writing of the two appraisers, or of one appraiser and the umpire, shall determine the nature and extent or adequacy of the repairs and replacements made or required, or the amount of such loss or damage.

Costs of Appraisal

(8) Each party shall pay the appraiser selected by him, and shall bear equally the other expenses of the appraisal and of the umpire.

Waiver 6. Neither the insurer nor the insured shall be deemed to have waived any term or condition of this policy by any act relating to the appraisal or to the delivery and completion of proofs of loss, or to the investigation or adjustment of the claim.

Inspection of Automobile 7. The insurer shall be permitted at all reasonable times to inspect the automobile and its equipment.

Other Insurance of the Same Interest 8. (1) If the insured named in the policy has or places any additional or other valid insurance of his interest in the subject matter of the contract or any part thereof, the insurer shall be liable only for its rateable proportion of any loss or damage.

(2) Where by any other valid insurance indemnity is provided for a claim under this policy against a person not named herein but insured hereby, the insurer shall only be liable under this policy, in respect of any such claim, to the extent of any, deficiency in the amount of such other insurance of such claim, not exceeding in any event the limits of liability of the insurer under this policy.

Time and Manner of Payment of Insurance Money 9. (1) An insurer shall pay the insurance money for which it is liable under a contract within sixty days after the proof of loss has been received by it, or, where an appraisal is had under statutory condition 5, within fifteen days after the award is rendered by the appraisers.

When Action May be Brought (2) The insured may not bring an action to recover the amount of a claim under the policy unless the requirements of statutory conditions 4 and 5 are complied with nor until the amount of the loss has been ascertained as therein provided, or by a judgment against the insured after trial of the issue, or by agreement between the parties with the written consent of the insurer.

Limitation of Actions (3) Every action or proceeding against an insurer under a contract in respect of loss or damage to the automobile shall be commenced within one year next after the happening of the loss and not afterwards, and in respect of loss or damage to persons or property shall be commenced within one year next after the cause of action arose, and not afterwards.

Who May Give Notice and Proofs of Claim 10. Notice of claim may be given and proofs of claim may be made by the agent of the insured named in the policy in case of absence or inability of such insured to give the notice or make the proof, such absence or inability being satisfactorily accounted for, or in the like case, or if such insured refuses to do so, by a person to whom any part of the insurance money is payable.

Cancellation 11. (1) The policy may be cancelled at any time at the request of the insured named therein, and the insurer shall, upon surrender of the policy, refund the excess of paid premium above the customary short rate premium for the time the policy has been in force.

(2) This policy may be cancelled at any time by the insurer giving to the insured named in the policy fifteen days' notice in writing of cancellation by registered post, whether registered within or without Canada, or five days' notice of cancellation personally delivered, and refunding the excess of paid premium beyond the pro rata premium for the expired time. Repayment of excess premiums may be made by money, post office order, postal note or cheque. Such repayment shall accompany the notice, and in such case the fifteen days above-mentioned shall commence to run from the day following the receipt of the registered letter at the post office to which it is addressed.

Notice 12. Any written notice to the insurer may be delivered at or sent by registered post to the chief agency or head office of the insurer in this Province. Written notice may be given to the insured named in the policy by letter personally delivered to him or by registered letter addressed to him at his last post office address notified to the insurer, or, where no address is notified and the address is not known, addressed to him at the post office of the agency, if any, from which the application was received. In this condition the expression "registered" shall mean registered within or without Canada.

175.—(1) If the policy does not insure against liability for loss or damage to persons or property, statutory condition 4 shall not be deemed to be part of the policy. Certain conditions not part of policy.

(2) If the policy does not insure against loss of or damage to an automobile, statutory condition 5 shall not be deemed to be part of the policy.

176. No insurer shall issue or deliver a policy in the Province until a copy of the form of policy has been on file with the Superintendent for at least thirty days, unless sooner approved in writing by him, nor if within that period the Superintendent notifies the insurer in writing that the said form of policy is not approved. The Superintendent shall, on being so required, specify the reasons for not approving or for disapproving thereof. Policy to be approved by Superintendent.

177.—(1) Where an applicant for a contract falsely describes the automobile to be insured, to the prejudice of the insurer, or knowingly misrepresents or fails to disclose in the application any fact required to be stated therein or where the insured violates any term or condition of the policy or commits any fraud, or makes any wilfully false statement with respect to a claim under the policy, any claim by the insured shall be rendered invalid and the right of the insured to recover indemnity shall be forfeited. Misrepresentation, fraud or violation of conditions renders claim invalid.

(2) Where a written application for a contract is made, no statement of the applicant shall be used in defence of a claim under the policy, unless it is contained in the written application. No defence where statement not in written application.

178. Where there has been imperfect compliance with a statutory condition as to the proof of loss to be given by the insured or other matter or thing required to be done or omitted by the insured with respect to the loss, and a consequent forfeiture or avoidance of the insurance in whole or in part, and the Court deems it inequitable that the insurance should be forfeited or avoided on that ground, the Court may relieve against the forfeiture or avoidance on such terms as it may deem just. Relief from forfeiture.

179. Insurance money shall be payable in the Province in lawful money of Canada. How policy payable.

180. No term or condition of a contract shall be deemed to be waived by the insurer in whole or in part, unless the waiver is stated in writing and signed by an agent of the insurer. Waiver.

Subrogation.

181. The insurer may require from the insured and from any person to whom it pays insurance money under a contract an assignment of all right of recovery against any other party for loss or damage to the extent that payment therefor is made by the insurer.

Use of
red ink.

182. No red ink shall be used in printing a policy, except for the name, address and emblem of the insurer, the policy number and for the purposes mentioned in this Part.

Rights of
insured
preserved.

183. Any act or omission of the insurer resulting in non-compliance or imperfect compliance with any of the provisions of this Part shall not render a contract invalid as against the insured.

Motor Vehicle Liability Policies.

Coverage of
owner's
policy.

183a.—(1) Every owner's policy shall insure the person named therein, and every other person who, with his consent, uses or is responsible for the use of any automobile designated in the policy, against the liability imposed by law upon the insured named therein or upon any such other person for loss or damage,

(a) arising from the ownership, use or operation of any such automobile within Canada or the United States of America, or upon a vessel plying between ports within those countries; and

(b) resulting from

(i) bodily injury to or death of any person; or

(ii) damage to property; or,

(iii) both.

Rights of
unnamed
insured.

(2) Any person insured by but not named in a policy may recover indemnity in the same manner and to the same extent as if named therein as the insured, and for that purpose shall be deemed to be a party to the contract and to have given consideration therefor.

Coverage of
driver's
policy.

183b. Every driver's policy shall insure the person named therein against the liability imposed by law upon such insured for loss or damage,

(a) arising from the operation or use by him of any automobile, other than an automobile owned by or registered in the name of such insured, while he is

personally

personally in control as driver or occupant of such automobile within Canada or the United States of America, or upon a vessel plying between ports within those countries; and

(b) resulting from

(i) bodily injury to or death of any person; or

(ii) damage to property; or,

(iii) both.

183c. Under an owner's policy or a driver's policy the insurer shall: ^{Additional agreements.}

(a) upon receipt of notice of loss or damage caused to persons or property, serve the insured by such investigation thereof, or by such negotiations with the claimant, or by such settlement of any resulting claims, as may be deemed expedient by the insurer; and

(b) defend in the name and on behalf of the insured and at the cost of the insurer any civil action which may at any time be brought against the insured on account of loss or damage to persons or property; and

(c) pay all costs taxed against the insured in any civil action defended by the insurer and any interest accruing after entry of judgment upon that part of the judgment which is within the limits of the insurer's liability; and

(d) in case the injury be to a person, reimburse the insured for outlay for such medical aid as may be immediately necessary at the time.

183d. The insurer shall not be liable under an owner's policy or a driver's policy: ^{Exceptions from liability.}

(a) for any liability imposed by any workmen's compensation law upon the insured; or

(b) for loss or damage resulting from bodily injury to or the death of any person insured by the policy, or the children, wife or husband of any such person; or

(c) to any person, not the owner of the automobile, engaged in the business of an automobile garage,

repair

repair shop or service station or as an automobile dealer, for loss or damage sustained while engaged in the operation or repair of the automobile;

or, unless the coverage is expressly extended under section 183f,

- (d) for any loss or damage resulting from bodily injury to or the death of any person being carried in or upon or entering or getting on to or alighting from the automobile; or
- (e) for loss or damage to property carried in or upon the automobile; or
- (f) for loss or damage resulting from bodily injury to or the death of any employee of the insured while engaged in the operation or repair of the automobile.

Minimum
liability
under policy.

183e. Every owner's policy and driver's policy shall insure, in case of bodily injury or death, to the limit of at least \$5,000 (exclusive of interest and costs) for bodily injury to or the death of any one person, and, subject to such limit, for any one person so injured or killed, of at least \$10,000 (exclusive of interest and costs) for bodily injury to or death of two or more persons in any one accident; or, in case of property damage, to the limit of at least \$1,000 (exclusive of interest and costs) for damage to property resulting from any one accident.

Excess
coverage.

183f. The insurer may, by an endorsement on the policy and in consideration of an additional stated premium, and not otherwise, extend the coverage in the following respects:

- (a) in the case of an owner's policy or a driver's policy, the matters mentioned in paragraphs (d), (e) and (f) of section 183d and in statutory condition 3; and
- (b) in the case of an owner's policy, the operation or use of automobiles not owned by nor registered in the name of the insured; and
- (c) in the case of an owner's policy or a driver's policy, such other matters as may be approved by the Superintendent.

Policy in
special cases.

183g. Where any provision of the last preceding six sections is inapplicable by reason of the requirements of any Part or, in the opinion of the Superintendent, unsuitable to any special form of contract, he may approve a form of motor

vehicle

vehicle liability policy sufficient or appropriate to insure the risks required or proposed to be insured and in that case those sections shall not apply.

183h.—(1) Any person having a claim against an insured, for which indemnity is provided by a motor vehicle liability policy, shall, notwithstanding that such person is not a party to the contract, be entitled, upon recovering a judgment therefor against the insured, to have the insurance money payable under the policy applied in or towards satisfaction of his judgment and of any other judgments or claims against the insured covered by the indemnity and may, on behalf of himself and all persons having such judgments or claims, maintain an action against the insurer to have the insurance money so applied.

Application of insurance money under motor vehicle liability policy.

(2) No creditor of the insured shall be entitled to share in the insurance money payable under any such policy in respect of any claim for which indemnity is not provided by the policy.

Other creditors not entitled to share.

(3) (i) No assignment, waiver, surrender, cancellation or discharge of the policy, or of any interest therein, or of the proceeds thereof, made by the insured after the happening of the event giving rise to a claim under the policy, and

Insurer absolutely liable.

(ii) no act or default of the insured before or after such event in violation of the provisions of this Part or of the terms of the contract, and

(iii) no violation of the Criminal Code or of any law or statute of any province, state or country, by the owner or driver of the automobile,

shall prejudice the right of any person, entitled under subsection 1, to have the insurance money applied upon his judgment or claim, or be available to the insurer as a defence to such action.

(4) The insurer may require any other insurers liable to indemnify the insured in respect of judgments or claims referred to in subsection 1 to be made parties to the action and to contribute rateably according to their respective liabilities, and the insured shall, on demand, furnish the insurer with particulars of all other insurance covering the subject-matter of the contract.

Contribution among insurers.

(5) Where a policy provides for coverage in excess of the limits mentioned in section 183e or for extended coverage in

Defence where excess coverage.

pursuance of section 183*f*, nothing in this section shall, with respect to such excess coverage, prevent the insurer from availing itself, as against any claimant, of any defence which the insurer is entitled to set up against the insured.

Liability of insured to reimburse insurer.

(6) The insured shall be liable to pay or reimburse the insurer, upon demand, any amount which the insurer has paid by reason of the provisions of this section which it would not otherwise be liable to pay.

Insured to give notice of action and disclose insurance.

183*i*. Every insured against whom an action is commenced for damages occasioned by an automobile shall:

- (a) give notice thereof in writing to the insurer within five days after service of notice or process in the action, and
- (b) disclose to a judgment creditor entitled to the benefit of any motor vehicle liability policy particulars of such policy within ten days after written demand therefor.

Policies Other Than Motor Vehicle Liability Policies.

Partial payment of loss clause.

183*j*. A policy, other than a motor vehicle liability policy, may contain a clause to the effect that the insurer in the event of loss shall pay only an agreed portion of any loss which may be sustained or the amount of the loss after deduction of a sum specified in the policy, in either case not exceeding the amount of the insurance, in which case there shall be printed upon the face of the policy in conspicuous type, in red ink, the words, "This policy contains a partial payment of loss clause."

Claims to be adjusted with insured.

183*k*. Where a claim is made under any policy other than a motor vehicle liability policy, the insurer shall, notwithstanding any agreement, adjust the amount of the claim with the insured named in the policy as well as with any person having an interest indicated in the policy.

Commencement of Act.

3. This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

CHAPTER 26.

The Insurance (Temporary Provisions) Act, 1932.

Assented to March 29th, 1932.

WHEREAS on an appeal to His Majesty in his Privy ^{Preamble.} Council it has been declared that the regulation of the business of insurance is a matter of Provincial and not Dominion jurisdiction; and whereas by reason of that decision the existing laws of the province relating to insurance require revision, and it is expedient to empower the Lieutenant-Governor in Council pending such revision to make orders and regulations by way of temporary provision;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Insurance (Temporary Provisions) Act, 1932.* ^{Short title.}

2. The Lieutenant-Governor in Council shall have power ^{Temporary provisions.} to do and authorize such acts and things and to make from time to time such orders and regulations as he may deem necessary or advisable with respect to the business of insurance, and for the licensing or other authorization and regulation of insurers, and for amending, suspending, repealing or adding to any provision of *The Insurance Act* or any other Act of the Legislature relating to insurance.

3. All orders and regulations made under this Act shall ^{General powers as to enforcement.} have the force of law, and shall be enforced in such manner and by such courts, officers and authorities as the Lieutenant-Governor in Council may prescribe, and may be varied, extended or revoked by any subsequent order or regulation; but if any order or regulation is varied, extended or revoked, neither the previous operation thereof nor anything duly done thereunder, shall be affected thereby, nor shall any right, privilege, obligation or liability acquired, accrued, accruing or incurred thereunder be affected by such variation, extension or revocation.

Penalties.

4. The provisions of section 77 of *The Insurance Act* prescribing penalties for violation thereof shall apply to the violation of any order or regulation made under the authority of this Act.

Commence-
ment of Act.

Term of
Act.

5. This Act shall come into force on a day to be named by the Lieutenant-Governor by his proclamation and, when proclaimed, it and the orders and regulations made thereunder shall have effect until the next session of the Legislature is prorogued.

CHAPTER 27.

An Act respecting The Ontario Municipal Board.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Ontario Municipal Board Act, 1932.* Short title.

PART I

INTERPRETATION

2. In this Act,—

Interpreta-
tion.

- (a) "Board" shall mean The Ontario Municipal Board. "Board."
New.
- (b) "Local Board" shall mean and include any school board, public utility commission, public library board, board of park management, local board of health, board of police commissioners and any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of a municipality. *New.* "Local board."
- (c) "Municipality" shall mean a county, city, town, village or township and shall include the corporation thereof and shall also include every local board thereof. *New.* "Municipality."
- (d) "Public Utility" shall mean and include any water-works, gasworks, including works for the production, transmission, distribution and supply of natural gas, electric heat, light and power works, and telegraph or telephone lines, or any works supplying the general public with necessities or conveniences. *R.S.O. 1927, c. 225, s. 2 (a).* "Public utility."

Interpretation under Rev. Stat., c. 224.

3. The interpretation sections of *The Railway Act* shall apply to this Act. *R.S.O. 1927, c. 225, s. 1.*

Application of Act to all railways.

4. The provisions of this Act relating to railways shall apply to all railways, whether operated by steam, electricity or other motive power, including street railways. *R.S.O. 1927, c. 225, s. 3.*

References to former board deemed to refer to board under this Act.

5. Where in any general or special Act reference is made to the Ontario Railway and Municipal Board or to that board under any other name, hereafter it shall be deemed that such reference is made to the board as named in this Act. *New.*

PART II

CONSTITUTION OF BOARD

Change of designation.

6. The Ontario Railway and Municipal Board as heretofore constituted shall under the provisions of this Act continue, but hereafter shall be called "The Ontario Municipal Board." *New.*

Present members continued.

7. The members of the board heretofore appointed under *The Railway and Municipal Board Act* shall continue in their respective offices as members of the board under this Act. *New.*

Composition of board.

8. The board shall be composed of three members to be appointed by the Lieutenant-Governor in Council, one of whom shall be appointed as chairman and another as vice-chairman, and each of them shall continue so to be while he is a member of the board. *R.S.O. 1927, c. 225, s. 4 (2).*

Vacancies.

9. Vacancies in membership of the board caused by death, resignation or otherwise may be filled by the Lieutenant-Governor in Council. *R.S.O. 1927, c. 225, s. 4 (3), part.*

Tenure of office.

10.—(1) Members of the board continuing in office at the time this Act comes into force and hereafter appointed shall hold office during pleasure.

Status of Chairman.

(2) The Chairman of the board, if at the time of his appointment a barrister of at least ten years standing at the bar, shall not be removed at any time by the Lieutenant-Governor in Council except upon an address of the Assembly. *R.S.O. 1927, c. 225, s. 4 (5).*

Power of vice-chairman.

11. In the case of the absence of the chairman or of his inability to act or of a vacancy in the office, the vice-chairman shall have and exercise the jurisdiction and powers of the chairman, including the power to complete any unfinished

matter, and in such case all orders, rules, regulations, certificates and other documents signed by the vice-chairman shall have the like force and effect as if signed by the chairman. *R.S.O. 1927, c. 225, s. 5 (1), varied.*

12. Whenever it appears that the vice-chairman has acted for and instead of the chairman, it shall conclusively be presumed that he has so acted in the absence or disability of the chairman. *R.S.O. 1927, c. 225, s. 5 (2).* Presumption of having duly acted.

13. A vacancy in membership of the board or the absence or inability of a member to act, shall not impair the powers of the board or of the remaining members who shall exercise all the jurisdiction and powers of the board. *R.S.O. 1927, c. 225, s. 4 (3), part varied.* Vacancy in membership or inability to act not to affect powers of board.

14. Except as provided in section 15, two members of the board shall form a quorum and be sufficient for the exercise of all the jurisdiction and powers of the board, and not less than two members shall attend at the hearing of every case. *R.S.O. 1927, c. 225, s. 6, part.* Quorum.

15. In any case, application or matter before the board in which there is no opposing party and no notice to be given to any interested party, any one member may act alone for the board. *R.S.O. 1927, c. 225, s. 7.* Where applications unopposed.

16. The chairman, when present, shall preside at all sittings of the board, and his opinion upon any question of law shall prevail. *R.S.O. 1927, c. 225, s. 6, part.* Questions of law.

17. The board or the chairman may authorize any one of the members to report to the board upon any question or matter arising in connection with the business of the board, and when so authorized such member shall have all the powers of the board for the purpose of taking evidence and acquiring the necessary information for the purpose of such report, and upon the report being made to the board, it may be adopted as the order of the board or otherwise dealt with as to the board seems proper. *R.S.O. 1927, c. 225, s. 8.* Reference to a member.

18. Whenever a member of the board is interested in any matter before the board, the Lieutenant-Governor in Council may, upon the application of such member or otherwise, appoint a disinterested person to act as a member, *pro hac vice*, and the Lieutenant-Governor in Council may also appoint a person to act as a member during the illness, absence or inability to act of any member. *R.S.O. 1927, c. 225, s. 9.* Appointments pro hac vice.

19. Unless otherwise authorized by Statute or the rules of the Assembly or the Lieutenant-Governor in Council, the Attendance to duties.

members shall devote the whole of their time to the performance of their duties as members of the board, and shall not accept or hold any office or employment inconsistent with such duties. *R.S.O. 1927, c. 225, s. 11 (1), amended.*

Prohibition
against
holding
municipal
securities,
railway
stock, etc.;

20. No member or officer of the board shall, directly or indirectly,—

(a) hold, purchase, take, deal in or become interested in any stock, bond, debenture, share or other security of any municipality in Ontario or of any railway or public utility company or any company which in any way controls a railway or public utility; *R.S.O. 1927, c. 225, s. 10 (1) (a), amended.*

or having
interest in
contract;

(b) become concerned or interested in any contract, undertaking or work with or for any municipality, railway or public utility company; *New.*

or having
interest in
appliances.

(c) have any interest in any device, appliance, machine, patented process or article or in any part thereof which may be required or used for the purpose of the business of any municipality, railway or public utility company. *R.S.O. 1927, c. 225, s. 10 (1) (b), amended.*

Duty to
dispose of
interest.

21. If a member or officer of the board shall by will, succession, or otherwise for his own benefit, directly or indirectly, become the owner, holder or otherwise vested with or interested in any stock, bond, debenture, share, security, contract, undertaking, work, device, appliance, machine, patented process or article mentioned in section 20, he shall within one year thereafter absolutely sell and dispose of the same or his interest therein. *R.S.O. 1927, c. 225, s. 10 (2), varied.*

Members of
board not to
be officers or
directors of
certain
companies.

22. No member or officer of the board shall act as director or officer of any railway or public utility company or of any company which has power to invest any portion of its funds in the securities of a municipality, railway or public utility company. *R.S.O. 1927, c. 225, s. 10 (3), amended.*

Securing
assistance
for purpose
of inquiry.

23. For the purpose of any inquiry or examination conducted by it or in the performance of any of the other duties assigned to it by this or any other Act or by the Lieutenant-Governor in Council, the board may with the consent of the Minister of the Executive Council in charge of any Department of the Government, avail itself of the services of any officer or employee of such Department and for any such purpose it may with the approval of the Lieutenant-Governor in Council, avail itself of the services of any member, officer or employee of any board or commission established by Act of the Legislature. *New.*

24. The Lieutenant-Governor in Council shall provide ^{Offices at Toronto.} within the city of Toronto a suitable place in which the sittings of the board may be held and also suitable offices for the members, secretary, staff and other employees and all necessary furnishings, stationery and equipment for the establishment, conduct and maintenance of the same and for the performance of the duties of the board. *R.S.O. 1927, c. 225, s. 12.*

25. The board shall sit at such times and places within the ^{Sittings of board.} province as the chairman may from time to time designate and shall conduct its proceedings in such manner as may seem to it most convenient for the speedy and effectual dispatch of its duties. *R.S.O. 1927, c. 225, s. 13 (1).*

26. The sittings of the board may be either private or ^{Private or public.} open to the public, but any complaint made to the board shall on the application of any party thereto, be publicly heard. *R.S.O. 1927, c. 225, s. 13 (2).*

27. Where sittings of the board or any member thereof, ^{Use of court house.} are appointed to be held in any municipality in which a court house is situate, the board or member shall have in all respects the same authority and right as a judge of the Supreme Court with respect to the use of the court house and any part thereof, and of other buildings and apartments set aside in the municipality for the administration of justice. *R.S.O. 1927, c. 225, s. 14 (1), varied.*

28. Where sittings of the board or any member thereof ^{Use of town hall.} are appointed to be held in any municipality in which there is a hall belonging to the corporation thereof, but no court house, the corporation shall, upon request, allow such sittings to be held in such hall and shall make all arrangements necessary and suitable for such purpose. *R.S.O. 1927, c. 225, s. 14 (2).*

29. The Lieutenant-Governor in Council may from time ^{Experts.} to time upon the recommendation of the board, appoint one or more experts or persons having technical or special knowledge of matters or subjects within the jurisdiction of the board or in question in respect of any particular matter or subject before the board to assist the board in an advisory or other capacity. *R.S.O. 1927, c. 225, s. 19 (1), varied.*

30. There shall be a secretary of the board who shall be ^{Secretary.} appointed by the Lieutenant-Governor in Council and shall hold office during pleasure. *R.S.O. 1927, c. 225, s. 15 (1).*

31. It shall be the duty of the secretary to,—

^{Duties of secretary,—}

(a)

- | | |
|---|--|
| Attend sittings; | (a) attend all sittings of the board; |
| Keep minutes. | (b) keep a record of all applications to and proceedings before the board or any member; |
| Custody of records. | (c) have the custody and care of all records and documents of or pertaining to the business of or proceedings before the board or any member, or filed in his office; |
| Authentication of regulations, orders, etc. | (d) have every order, rule, regulation and certificate drawn pursuant to the directions of the board and according to the provisions of any Statute affecting the same properly authenticated and issued, filed and otherwise dealt with as may be requisite; |
| Record books. | (e) keep proper books of record in which he shall cause to be entered a true copy of every order, rule and regulation made by the board and of every other document which the board may require to be entered therein, and such entry shall constitute and be the original record of every such order, rule, regulation and document; <i>R.S.O. 1927, c. 225, s. 15 (2) (a), (b), (c), (e), (f).</i> |
| Other matters. | (f) carry out such other functions and duties as may by Statute, the Lieutenant-Governor in Council or the board be assigned to him or his office; and <i>New.</i> |
| ObeY directions. | (g) obey all rules, regulations and directions made or given by the board touching his duties or his office. <i>R.S.O. 1927, c. 225, s. 15 (2) (d).</i> |

Certified copies of regulations or orders.

32 Upon application of any person and on payment of such fees as the board may prescribe, the secretary shall deliver to such person a certified copy of any order, rule, regulation, certificate or other document made, given or issued by the board. *R.S.O. 1927, c. 225, s. 16.*

Acting secretary.

33. Where the office of the secretary is vacant, or in his absence or inability to act, the board may appoint a secretary *pro tempore*, who shall act in the place of the secretary, or a member of the board may act as secretary. *R.S.O. 1927, c. 225, s. 17, amended.*

Staff of board,—appointment and dismissal.

34. The staff of the board shall consist of a secretary and of such other officers, clerks, stenographers and employees as the board, with the approval of the Lieutenant-Governor in Council, from time to time appoints, and the board, with the like approval, may at pleasure dismiss any of them. *R.S.O. 1927, c. 225, s. 19 (2), amended.*

35. The chairman and other members of the board and the secretary shall be paid such salaries as shall from time to time be fixed by the Lieutenant-Governor in Council. 1928, c. 21, s. 11. Salaries of board and secretary.

36. The officers, clerks, stenographers and employees of the board shall be paid such salaries or remuneration as upon the recommendation of the board, the Lieutenant-Governor in Council may approve. R.S.O. 1927, c. 225, s. 19 (3). Salaries of staff.

37. Whenever the board by virtue of any power vested in it appoints or directs any person other than a member of the staff of the board to perform any service required by this or any other Act, such person shall be paid such sum for services and expenses as upon the recommendation of the board, the Lieutenant-Governor in Council may approve. R.S.O. 1927, c. 225, s. 19 (4). Remuneration of appointee to make enquiry.

38. The salaries of the members of the board and the secretary and the salaries or remuneration of the staff of the board and all expenses of the board and of supplying or maintaining offices and furnishings, stationery, supplies and equipment for the board, together with expenses incurred by members of the board or the secretary in the performance of their duties including reasonable travelling and subsistence expenses of the members and secretary and of such of its staff as may be required or authorized by the board necessarily incurred in attending to the duties of their office, shall be paid monthly out of the Consolidated Revenue Fund of the Province. R.S.O. 1927, c. 225, s. 19 (5), *amended*. Salaries and expenses of board, secretary, staff, etc.,—how to be paid.

39. Neither the members of the board nor its secretary nor any of its staff shall be required to give testimony in any civil suit with regard to information obtained by him in the discharge of his official duty. *New*. Protection from being called as witnesses.

40. Neither the members of the board, nor its secretary nor any of its staff shall be personally liable for anything done by it or by him under the authority of this or any other Act. *New*. Protection from personal liability.

PART III

GENERAL JURISDICTION AND POWERS

41. The board shall for all purposes of this Act have all the powers of a court of record and shall have an official seal which shall be judicially noticed. R.S.O. 1927, c. 225, s. 4 (4). Board to have powers of court of record and a seal.

Power to
determine
law and fact.

42. The board shall as to all matters within its jurisdiction under this Act have authority to hear and determine all questions of law or of fact. *R.S.O. 1927, c. 225, s. 20 (3).*

Jurisdiction
exclusive.

43. The board shall have exclusive jurisdiction in all cases and in respect of all matters in which jurisdiction is conferred on it by this Act or by any other general or special Act. *R.S.O. 1927, c. 225, s. 21.*

General
jurisdiction
and powers.

44. The board shall have jurisdiction and power to,—

- (a) hear and determine all applications made, proceedings instituted and matters brought before it under the provisions of this Act or of any other general or special Act and for such purpose to make such orders, rules and regulations, give such directions, issue such certificates and otherwise do and perform all such acts, matters, deeds and things, as may be necessary or incidental to the exercise of the powers conferred upon the board under such Act; and
- (b) perform such other functions and duties as are now or shall hereafter be conferred upon or assigned to the board by statute or under statutory authority.
- (c) order and require or forbid, forthwith or within any specific time and in any manner prescribed by the board, the doing of any act, matter or thing or the omission or abstention from doing or continuance of any act, matter or thing, which any person, firm, company, corporation or municipality is or may be required to do or omit to be done or to abstain from doing or continuing under this or any other general or special Act, or under any order of the board or any regulation, rule, by-law or direction made or given under any such Act or order or under any agreement entered into by such person, firm, company, corporation or municipality; and
- (d) make, give or issue or refuse to make, give or issue any order, directions, regulation, rule, permission, approval, certificate or direction, which it has power to make, give or issue. *R.S.O. 1927, c. 225, s. 20 (1), amended.*

Powers of
Supreme
Court
exercisable
by board.

45. The board for the due exercise of its jurisdiction and powers and otherwise for carrying into effect the provisions of this or any other general or special Act, shall have all such powers, rights and privileges as are vested in the Supreme Court with respect to the amendment of proceedings, addition or substitution of parties, attendance and examination of

witnesses,

witnesses, production and inspection of documents, entry on and inspection of property; enforcement of its orders and all other matters necessary or proper therefor. *R.S.O. 1927, c. 225, s. 20 (4), varied.*

46. Where by the provisions of any Letters Patent or supplementary Letters Patent of any corporation heretofore or hereafter issued under *The Companies Act* or any other general or special Act, any jurisdiction is conferred upon the board, or it is provided that any matter in any way may be referred to the board, it shall with respect thereto have power to inquire into, hear and determine all matters and things necessary or incidental to the due exercise of such jurisdiction and reference and to make and give orders, directions, regulations, rules, permissions, approvals, sanctions and certificates as to the board may seem proper. *1929, c. 23, s. 12, amended.*

Jurisdiction under Letters Patent. Rev. Stat. c. 218

47. Where by the provisions of this or any other general or special Act the permission, approval or sanction of the board is necessary to the exercise of any power or the doing, or the abstention from doing or continuing to do any act, matter, deed or thing, such power shall not be exercised or act, matter, deed or thing be done or abstained from being done or be continued until such permission, approval or sanction has been obtained. *New.*

Where board's approval not given.

48.—(1) The board may, of its own motion, and shall, upon the request of the Lieutenant-Governor in Council, inquire into, hear and determine any matter or thing which it may inquire into, hear and determine upon application or complaint, and with respect thereto shall have and may exercise the same powers as, upon any application or complaint, are vested in it. *R.S.O. 1927, c. 225, s. 22 (1).*

When board may act.

(2) Any power or authority vested in the board under this Act or any other general or special Act may, though not so expressed, be exercised from time to time, or at any time, as the occasion may require. *R.S.O. 1927, c. 225, s. 22 (2).*

Power to act from time to time.

49.—(1) The Lieutenant-Governor in Council may from time to time, upon the request of the board, or of his own motion, appoint counsel to appear before the board and conduct any enquiry or hearing or to represent the board upon the argument of any appeal to the Court of Appeal of the Supreme Court or to any other court in an appeal from the Court of Appeal, in cases where any such appeal may lie. *R.S.O. 1927, c. 225, s. 23 (1), amended.*

Appointment of counsel.

(2) The board may direct that the costs of such counsel shall be paid by any party to the application, proceeding or

Costs.

matter,

matter, or by the Treasurer of Ontario. *R.S.O. 1927, c. 225, s. 23 (2).*

Power to rehear, review, etc.

50. The board may rehear any application before deciding it or may review, rescind, change, alter or vary any decision, approval or order made by it. *R.S.O. 1927, c. 225, s. 24.*

Board to enquire and report on certain matters at request of Government or Legislature.

51. The board shall, when required so to do by the Lieutenant-Governor in Council, the Assembly or any committee thereof, make or cause to be made under its supervision, an inquiry into any facts which the Lieutenant-Governor in Council, the Assembly or any such committee may desire to ascertain before passing upon the propriety of any proposed change in the general law, or upon any proposed Bill relating to a municipality or to a railway, or to any corporation or person operating or proposing to operate a public utility, and upon the conclusion of such inquiry the board shall report its opinion thereon. *R.S.O. 1927, c. 225, s. 55.*

Reference by Lieutenant-Governor in Council for report.

52. The Lieutenant-Governor in Council may at any time refer to the board, for a report or other action, any question, matter or thing arising, or required to be done in respect of a municipality, railway or public utility subject to the jurisdiction of the board, under any general or special Act, and the board shall without unnecessary delay comply with the Order-in-Council. *R.S.O. 1927, c. 225, s. 48.*

Board may order inquiries.

53.—(1) The board may appoint or direct any person to make an inquiry and report upon any application, complaint or dispute before the board, or upon any matter or thing over which the board has jurisdiction. *R.S.O. 1927, c. 225, s. 51 (1).*

Costs.

(2) The board may order by whom and in what proportion the costs and expenses incurred in making such inquiry and report shall be paid, and may fix the amount of such costs and expenses. *R.S.O. 1927, c. 225, s. 51 (2).*

General powers.

54. The board may order and require any person or company, corporation or municipality to do forthwith or within or at any specified time, and in any manner prescribed by the board, so far as is not inconsistent with this Act, any act, matter or thing which such person, company, corporation or municipality is or may be required to do under this Act, or under any other general or special Act, or any regulation, order, direction, agreement or by-law, and may forbid the doing or continuing of any act, matter or thing which is in contravention of any such Act or of any such regulation, order, direction, agreement or by-law. *R.S.O. 1927, c. 225, s. 20 (2).*

55. The board may require any person, company, corporation or municipality, subject to its jurisdiction, to adopt such means and appliances and to take and use such precautions as the board may deem necessary or expedient for the safety of life and property. *R.S.O. 1927, c. 225, s. 54.*

Adoption of appliances for protection of life, etc.

56.—(1) When the board, in the exercise of any power vested in it, by any order directs any structure, appliances, equipment, works, renewals, or repairs to be provided, constructed, reconstructed, altered, installed, operated, used or maintained, it may order by what person, company, corporation or municipality interested or affected by such order, as the case may be, and when or within what time, and upon what terms and conditions as to the payment of compensation or otherwise, and under what supervision the same shall be provided, constructed, reconstructed, altered, installed, operated, used or maintained. *R.S.O. 1927, c. 225, s. 50 (1).*

Duty to execute works ordered by board.

(2) The board may order by whom, in what proportion and when, the cost and expenses of providing, constructing, reconstructing, altering, installing and executing such structures, equipment, works, renewals, or repairs, or of the supervision, if any, or of the continued operation, use or maintenance of the same, or of otherwise complying with such order shall be paid. *R.S.O. 1927, c. 225, s. 50 (2).*

And to pay expenses of them.

57. If default is made by a person, company, corporation or municipality in the doing of any act, matter or thing, which the board has authority, under this or any other general or special Act, to direct and has directed to be done, the board may authorize such person as it may see fit to do the act, matter or thing, and in every such case the person so authorized may do such act, matter or thing, and the expense incurred in the doing of the same may be recovered from the person, company, corporation or municipality in default as money paid for and at his or its request, and the certificate of the board of the amount so expended shall be conclusive evidence thereof. *R.S.O. 1927, c. 225, s. 25.*

Board's powers upon default in obeying order.

58. The board shall also have power to enforce its orders and directions respecting any public utility in the manner and by the means provided in section 261 of *The Railway Act*. *R.S.O. 1927, c. 225, s. 26.*

Enforcing orders of board. Rev. Stat. c. 224.

59. The board, inspecting engineer, or person appointed under this Act to make any inquiry or report may,—

Powers respecting inquiries.

- (a) enter upon and inspect any place, building, or works, being the property or under the control of any company, the entry or inspection of which appears to it or him requisite;

Entry.

(b)

- Inspection. (b) inspect any works, structure, rolling stock or property of the company;
- Attendance of witnesses. (c) require the attendance of all such persons as it or he thinks fit to summon, and examine and require answers or returns to such enquiries as it or he thinks fit to make;
- Pro-duction of documents, etc. (d) require the production of all books, papers, plans, specifications, drawings and documents, relating to any matter before it or him;
- Oaths. (e) administer oaths,
- Summoning witnesses and enforcing attendance. and shall have the like power to summon witnesses and enforce their attendance, and compel them to give evidence and to produce books, papers or things which they are required to produce, as is vested in any court in civil cases. *R.S.O. 1927, c. 225, s. 52.*

PART IV

MUNICIPAL ACCOUNTS, STATISTICS AND AUDITS

Returns and statements, Bureau of Municipal Affairs transferred to the board. **60.** The branch of the public service of Ontario heretofore known as "The Bureau of Municipal Affairs" established under *The Bureau of Municipal Affairs Act* is hereby transferred to the board and all the matters heretofore assigned to the said Bureau shall hereafter be under the jurisdiction of the board as provided in this Part. *New.*

Commissioner of Municipal Affairs to be appointed from the board. **61.**—(1) The Lieutenant-Governor in Council may designate which member of the board shall have charge over the administration of all matters within the jurisdiction of the board under this Part and the member so designated shall be known as the "Commissioner for Municipal Affairs."

Chairman to act in absence, etc., of commission. (2) During the absence or in the inability of the commissioner to act or in case of a vacancy in his office, the chairman of the board shall have and may exercise all the powers of the commissioner under this Act. *New.*

Officers, clerks, etc., continued in office. **62.**—(1) All the officers, clerks and servants of The Bureau of Municipal Affairs in office at the time when this Part comes into force shall continue according to their present appointments and in their respective offices, but as officers, clerks and servants of the board under the direct charge of the commissioner to whom they shall be responsible for the performance of their duties.

(2) Subject to the control of the commissioner, the provincial municipal auditor shall be the chief officer for the purposes of this Part. *New.* Provincial municipal auditor.

63. The board, by and through the commissioner, shall have power,— General powers.

- (a) to prescribe and regulate the system of estimates, book-keeping and accounting to be adopted by municipalities, and the form of and the manner in which all estimates, books of account, registers, records, vouchers, receipts and other books and documents relating to the assets, liabilities, revenues and expenditures of municipalities shall be kept, and the manner in which all funds and moneys thereof shall be accounted for; *Partly new.* Municipal accounting system.
- (b) to prescribe the forms, returns, statements and information to be made and furnished by municipalities to the board, annually, periodically or otherwise, and the times when and by whom they shall be made; Municipal returns.
- (c) to prescribe and regulate the system of auditing the accounts, registers, records, vouchers, receipts and other books and documents relating to the assets, liabilities, revenues, expenditures, funds and moneys of municipalities and the reports, returns, statements and information to be made and furnished by municipal auditors and otherwise with respect to the performance of their duties; *Partly new.* Municipal audit.
- (d) to collect, compile, analyse and record such statistical and other information relating to the financial and other affairs of municipalities as may be useful; Compiling statistics, etc.
- (e) to prepare and publish statistics, reports, records, bulletins, pamphlets, circulars and other means of disseminating information and advice in relation to municipal affairs as may be useful; *Partly new.* Publishing reports, etc.
- (f) to study, report and advise upon the system of municipal institutions and the government and administration of municipal affairs; *New.* Report on municipal government, etc.
- (g) to prepare and make to the Lieutenant-Governor in Council such annual or other reports and returns as may be required; Reports of board.
- (h) to perform such other duties as the Lieutenant-Governor in Council may require or assign; Other duties.

Incidental powers.

- (i) to perform and do all things necessary or incidental to any of the aforesaid purposes; *R.S.O. 1927, c. 232, ss. 9 and 10, amended; R.S.O. 1927, c. 243, ss. 4 and 6, amended.*

Variations in systems and forms.

64. The commissioner may with respect to any of the matters mentioned in clauses *a, b* and *c* of section 63 prescribe different systems, methods and forms for the several classes of municipalities or for any municipality. *New.*

Duty of members of council, local boards and their officers.

65. Every municipality and every member of the council or a local board thereof and every officer thereof shall comply with any system, methods or forms prescribed under this Part to be adopted, kept or made by such municipality, local board or by the class of municipalities or local board of which such municipality or local board is one. *New.*

Adoption of other satisfactory system of accounting, auditing, etc.

66. A municipality which has adopted a system of estimates, book-keeping, accounting or auditing which the commissioner is satisfied to approve may continue such system until otherwise directed by the commissioner and until such time it shall not be necessary for the municipality to comply with any system prescribed under this Part. *R.S.O. 1927, c. 243, s. 8 (4), amended.*

All returns to be made to the board.

67.—(1) All returns required by any Act to be made to the Secretary of the Bureau of Industries or to the Bureau of Municipal Affairs shall be made to the board. *R.S.O. 1927, c. 232, s. 8 (3), amended.*

(2) Where in any Act reference is made to the Director of the Bureau of Municipal Affairs such reference shall be deemed to be made to the Commissioner for Municipal Affairs. *New.*

Provincial municipal audit.

When ordered.

68.—(1) The commissioner, either at the direction of the board or upon his own initiative or whenever requested by any municipality expressed by resolution of its council, or on a petition in writing signed by not less than fifty ratepayers assessed as owners and resident in a municipality, may direct the provincial municipal auditor to make or have made an audit of the financial affairs of the municipality. *R.S.O. 1927, c. 243, s. 10 (1), amended.*

Extent of audit.

(2) Any direction given by the commissioner may extend to an audit of all the financial affairs of a municipality or may be limited to the financial affairs of any local board thereof, or to any specified phase of such financial affairs or to any specified books, accounts, registers, records, vouchers, receipts, funds, money or financial transactions, kept by or

under

under the charge of any officer of the municipality designated by the commissioner. *R.S.O. 1931, c. 53, s. 2, amended.*

69. With the approval of the commissioner the provincial municipal auditor may appoint a chartered accountant or other competent auditor to make any audit which the commissioner may have directed to be made under this Part, and the person appointed shall for the purposes of such audit have all the powers and perform all the duties conferred or imposed upon the provincial municipal auditor. *R.S.O. 1927, c. 243, s. 10 (3).*

Appointment of special auditor to make the audit.

70. For the purposes of any audit the provincial municipal auditor may require the production of all or any books, records and documents which may in any way relate to the affairs of the municipality, the subject of the audit, and inspect, examine and audit and copy the same and may require any officer of the municipality and any other person to appear before him and give evidence on oath touching any of such affairs and for such purpose shall have the same powers as a commissioner under *The Public Inquiries Act*. *R.S.O. 1927, c. 243, s. 11.*

Powers of auditor with respect to an audit. Rev. Stat. c. 20.

71. Upon completion of an audit under this Part the provincial municipal auditor shall report thereon in writing to the commissioner, who shall forthwith transmit a copy of the report to the municipality and to the board. *R.S.O. 1927, c. 243, s. 14, amended.*

Report on audit.

72. The board as a result of any audit of the affairs of a municipality made under this Part may make such orders as it may see fit requiring the municipality to carry out, put into effect, observe, perform or enforce such matters or things as the audit may have disclosed as being necessary or desirable in the interests of the municipality or with respect to the due accounting for, collection or payment of any of its assets, liabilities, revenues, expenditures, funds or money or otherwise in any respect as the order of the board may provide. *New.*

Powers of board as a result of an audit.

73. The board may fix the fees and allowances for expenses payable with respect to any audit of the affairs of a municipality under this Part, and the amount so fixed shall forthwith be paid by the municipality. *R.S.O. 1927, c. 243, s. 16.*

Fees for audit.

74. Nothing in this Part contained shall give to the board, commissioner or provincial municipal auditor, any jurisdiction with respect to any of the affairs of a municipal utility commission, the exclusive jurisdiction over which is by statute conferred upon The Hydro-Electric Power Commission of Ontario. *R.S.O. 1927, c. 232, s. 11, amended.*

Exception as to municipal hydro-electric commissions.

Obligations
of officers'
sureties not
affected, etc.

75. Nothing in this Part shall affect or impair any security given by any officer of a municipality for the due and faithful performance of the duties of his office, nor relieve his sureties from liability in case of his default therein, nor shall anything in this Part relieve any municipality from its duty to appoint competent auditors. *R.S.O. 1927, c. 243, s. 20.*

Power to
obtain
returns on
failure of
municipality
to make
them.

76. Where a municipality fails, neglects or refuses to make or provide to the board any form or return, statement or information prescribed under this Part, the commissioner may authorize some person to make and furnish the same at the expense of the municipality. *R.S.O. 1927, c. 232, s. 9 (2), part.*

Penalty.

Rev. Stat.,
c. 121.

77. Any municipality, member of council or of a local board or an officer thereof or any other person guilty of any wilful breach of any of the provisions of this Part or of any order of the board made thereunder shall in addition to any other penalty provided by law incur a penalty of not less than \$20 and not more than \$200 recoverable under *The Summary Convictions Act*, and, if a member of a council or a local board, shall upon conviction be disqualified from holding any municipal office for a period of two years. *R.S.O. 1927, c. 232, s. 9 (2), part; and R.S.O. 1927, c. 243, s. 19, amended.*

PART V

GENERAL MUNICIPAL JURISDICTION

General
municipal
jurisdiction
of the board.

78. The board shall have jurisdiction and power in relation to municipal affairs to,—

Advisory
powers.

(a) effect improvement generally in their conduct and administration and, among other things, consult with and assist by advice municipalities, develop proper methods of municipal financing, accounting and audit, collaborate with municipal associations and other bodies and collect, compile and disseminate municipal statistics and information; *New.*

Approving
borrowings.

(b) approve the exercise in whole or in part of any of the powers by a municipality under any general or special Act which may or will involve or require the borrowing of money by the issue of debentures, or the incurring of any debt or the issuing of any debentures, and which municipality voluntarily applies for or is required by law to obtain such approval; *New.*

Approving
by-laws.

(c) approve any by-law or proposed by-law of a municipality which voluntarily applies for or is required by law to obtain such approval; *New.*

(d)

- (d) authorize the issue by a municipality of debentures ^{Floating} to pay any floating indebtedness which it may have ^{debt.} incurred, upon such terms in such manner and at such times as the board may approve; or direct that such floating indebtedness be paid in such other manner and within such time as the board may require; *New.*
- (e) certify to the validity of debentures issued under ^{Certifying} the authority of any by-law of a municipality which ^{validity of} debentures, the board has approved; *New.*
- (f) direct that before any approval is given by the board ^{Assent} to the exercise of any powers by a municipality ^{of electors to} or to any by-law passed by it, the assent of the ^{by-laws.} electors thereof or of those thereof who are qualified to vote on money by-laws first be obtained, notwithstanding such assent is not otherwise requisite;
- (g) supervise, where deemed necessary, the expenditure ^{Supervising} of any moneys borrowed by a municipality with ^{certain ex-} the approval of the board; ^{penditures} *New.*
- (h) require and obtain from any municipality at any ^{Detailed} time and for any definite period statements in detail ^{statement} of any of its affairs, financial and otherwise; *New.*
- (i) generally, exercise such jurisdiction and powers as ^{General.} by or under the authority of this Act or *The Municipal Act* or any other general or special Act are ^{Rev. Stat.} conferred upon the board; ^{c. 223.} *Partly new.*

79. Although not required by law so to do, any municipality may voluntarily apply to the board for its approval of,— ^{Voluntary}

- (a) the exercise by the municipality of any of its powers which may or will involve or require the borrowing of money by the issue of its debentures;
- (b) the incurring of any debt;
- (c) the issuing of its debentures;
- (d) any by-laws passed or proposed to be passed for any such purpose. *New.*

80. Any person the holder of or otherwise entitled to receive any debenture of a municipality or the proceeds of sale thereof ^{Application} to board for ^{approval} of by-law ^{authorizing} borrowing.

thereof or to whom a debt has been incurred or from whom money has been borrowed under the authority of any by-law of a municipality may apply to the board for approval of such by-law, and the board may approve the same. *R.S.O. 1927, c. 233, s. 304 (1), amended.*

Approval to
be withheld
where
litigation
pending.

81. The board shall not grant or issue any approval or certificate under the provisions of this or any other general or special Act in respect of any municipal affair or matter, while the same or the validity thereof is called in question in any pending action or proceeding or by which it is sought to quash any by-law of a municipality relating thereto. *R.S.O. 1927, c. 233, s. 304 (2), part.*

Time
for giving
approval.

82. The board shall not approve any by-law of a municipality or certify the validity of any debenture issued thereunder until thirty days after the final passing of the by-law, unless such notice, if any, as the board may direct has been published or given of the application for such approval. *R.S.O. 1927, c. 233, s. 304 (2), part.*

Validation
where law
substantially
complied
with.

83. The board may in any case, if in its opinion there has been a substantial compliance with the law, approve any by-law of a municipality and certify the validity of debentures issued thereunder, notwithstanding any invalidity or irregularity in the by-law or in any proceedings relating or incidental thereto prior or subsequent to its final passing. *R.S.O. 1927, c. 233, s. 304 (3), amended.*

Debentures
to be
certified.

84. Every debenture issued or to be issued under the authority of any by-law of a municipality approved by the board shall bear the seal and certificate of the board signed by a member thereof, or by a person specially authorized by the chairman, establishing that the by-law has been approved by the board and that the debenture is issued in conformity therewith. *New.*

Form of
certificate.

85. The certificate of the board to the validity of any debenture of a municipality shall be in the following form,—

THE ONTARIO MUNICIPAL BOARD

In pursuance of *The Ontario Municipal Board Act, 1932*, the board certifies that By-law No. of the corporation of the of passed on the day of 19 .., has been approved by the board, and that the within debenture, issued under the authority of such by-law and in conformity therewith, is valid and binding upon the said corporation and its validity may not be contested or questioned for any cause whatsoever.

Dated this day of, 19 ..

(SEAL)

.....
for the board.
R.S.O. 1927, c. 233, s. 304 (7), amended.

86.—(1) Every by-law of a municipality approved by the board and every debenture issued thereunder bearing the seal and certificate of the board shall for all purposes be valid and binding upon the corporation of such municipality and the ratepayers thereof and upon the property liable for any rate imposed by or under the authority of the by-law and its validity may not be contested or questioned for any cause whatsoever, nor shall it be necessary to its validity that the judgment or opinion of any court or person be requisite or obtained. *R.S.O. 1927, c. 233, s. 304 (5), amended.*

(2) Where the board is satisfied that any by-law or other proceeding of a municipality is not entirely beyond its jurisdiction and powers or void *ab initio*, and the validity thereof has not been questioned in any court in any litigation which is pending or the by-law has not been set aside or quashed or the proceeding declared to be invalid by any court, the board may, notwithstanding any invalidity in the by-law or proceeding, approve the same, and in such case the provisions of subsection 1 shall apply to the by-law and to every debenture issued thereunder bearing the seal and certificate of the board. *New.*

87. The board, upon any application of a municipality for approval of the exercise by a municipality of any of its powers or of the incurring of any debt or the issue of any debentures or of any by-law, shall before approving the same consider the nature of the undertaking, the necessity or expediency of the same, the financial position and obligations of the municipality and all such other matters as in the opinion of the board may call for consideration. *New.*

88. Where under the provisions of any general or special Act it is requisite that the assent of the electors of a municipality or of those thereof qualified to vote on money by-laws first be obtained to the exercise by the municipality of any of its powers or the incurring of any debt, issue of any debentures or passing of any by-law, the board shall not approve the exercise of such power, incurring of debt, issue of debentures or the by-law until such assent has been obtained. *New.*

PART VI

SPECIAL JURISDICTION OVER DEFAULTING MUNICIPALITIES

89. In this Part,—

Inter-
pretation.

- (a) "Improved land" shall mean any parcel of land separately assessed which has a building thereon, and shall include any land in actual use for agri-

"Improved
land."

cultural

cultural purposes, although there is no building thereon;

- "Registrar." (b) "Registrar" shall mean the registrar of a registry office;
- "Registry Office." (c) "Registry Office" shall mean the registry office of the registry division for the county in which a municipality subject to this Part is situate;
- "Supervisors." (d) "Supervisors" shall mean a committee of supervisors appointed for a municipality under this Part.
- "Vacant Land." (e) "Vacant Land" shall mean any parcel of land separately assessed, which has no building thereon, but shall not include any improved land.

Special
municipal
jurisdiction
of board.

When
exercisable.

90. The board shall have and may exercise the special jurisdiction and powers conferred by this Part, whenever, upon request of a municipality, expressed by resolution of its council, or upon request of the creditors of a municipality having claims representing not less than twenty per centum of its indebtedness, including debenture debt, it is satisfied upon inquiry that the municipality has,—

Default
in meeting
debenture
debt.

- (a) failed to meet and pay any of its debentures or interest thereon as the same became due and after payment thereof has been duly demanded; or

Default
in meeting
other in-
debtedness.

- (b) failed to meet and pay any of its other debts or liabilities when due and default in payment is occasioned from financial difficulties affecting the municipality; or

Financial
difficulties
rendering
default
probable.

- (c) become so financially involved or embarrassed that default in meeting any of its obligations may probably ensue.

Partial or
full inquiry.

(2) In the course of an inquiry the board may investigate any or all of the affairs of a municipality.

Power of
board to vest
control over
municipal
adminis-
tration in
supervisors.

91.—(1) If upon inquiry the board is of opinion that the circumstances so warrant or appear to render desirable, it may make such order as it may deem proper or necessary to vest in supervisors control and charge over the administration of all or any of the affairs of the municipality as set forth in the order and to declare that thereafter and until the board shall otherwise determine and order such municipality shall be subject to the provisions of this Part.

(2) The board shall forthwith appoint a committee of ^{Appointment of} supervisors for the municipality to be known as "The ^{committee of} Supervisors of the.....of....." (*naming the ^{of} supervisors.* *municipality*), to be composed of five persons, two of whom shall be nominated by the council, to be appointed by the board, two of whom shall be appointed by the board to represent the creditors of the municipality and the remaining one of whom shall be an independent person to be appointed by the board and he shall be the chairman of the committee.

(3) The board may require the council to submit the names ^{Council to} of more than two nominees from whom to appoint the two to ^{submit the} be appointed to represent the municipality. ^{names.}

(4) Where a vacancy occurs in the office of a supervisor the ^{Vacancy.} board shall fill the vacancy, but in so doing shall observe the provisions of subsection 2.

(5) Where a municipality fails to nominate supervisors ^{Failure to} within thirty days after being requested to so do, the board ^{nominate} shall appoint the same without nomination being necessary. ^{supervisors.}

(6) Notwithstanding the provisions of subsections 1 and 3, ^{Supervisors} each of the supervisors shall be deemed to be appointed by ^{deemed to} the board and each of them shall hold office during the ^{be appointed} pleasure of the board. ^{by board.}

(7) The supervisors shall be a continuing body notwith- ^{Supervisors} standing any vacancy therein. ^{to be a}

92.—(1) Subject to the jurisdiction of the board, the ^{Powers of} supervisors shall have and may exercise the powers conferred ^{supervisors.} on them by this Part and such additional powers as by any order of the board or by the terms of any agreement entered into under the authority of this Part may be conferred on them, and may do all things necessary or incidental to the exercise of any such powers.

(2) The powers of the supervisors shall be exercised by ^{Powers of} resolution of the committee, and the committee may with the ^{supervisors,} approval of the board adopt such rules of practice and pro- ^{how} cedure governing the meetings, transactions and exercise of ^{exercisable.} the powers of the supervisors as may from time to time be deemed expedient.

93. The council or any local board or any creditor of either ^{Appeal to} of them dissatisfied with any order, direction or decision of ^{boards.} the supervisors may within fifteen days, or such further time as the board may allow, appeal therefrom to the board.

Notice to be given of subjection of municipality to this Part.

94. Where a municipality has become subject to the provisions of this Part, notice thereof shall be given in the *Ontario Gazette* and in such one or more newspapers, published in or near the municipality and elsewhere and to such persons and in such form as the board may direct.

Stay of actions against municipality without leave of board.

95.—(1) When notice has been published in the *Ontario Gazette* that a municipality is subject to this Part, such publication shall operate as a stay of all actions or proceedings pending against the municipality and as a stay of execution as the case may be, and thereafter no action or other proceeding against the municipality shall be commenced or continued nor shall a levy be made under a writ of execution against the municipality, without leave of the board.

Suspension of operation of statutes of limitation.

(2) Where the commencement or continuance of any action or proceeding or the making of any levy under a writ of execution is prevented or stayed under this section, the time during which such prevention or stay continues shall not be computed for the purposes of any Statute or law of limitations until leave of the board to commence or continue such action or proceeding or make such levy is obtained but the person having the right of action or to take any proceeding or to make a levy under a writ of execution shall upon the removal of the prevention or stay, have the same length of time within which to take action or proceed or make a levy under a writ of execution, as the case may be, as he had when such prevention or stay came into operation; provided that this subsection shall not apply unless application is made to the board for approval of the continuance or commencement of any such suit, action or proceeding, within the time so limited as aforesaid by statute or law of limitations and such approval is refused.

Existing liens not taken away.

96. Nothing in this Part contained shall take away any lien, hypothec or other charge, if any, in existence and subsisting at the time this Part comes into force with respect to any municipality upon or against any revenue or other asset of the municipality and the same shall continue to exist until it is satisfied and discharged.

Control exercisable by supervisors.

97. The supervisors shall with respect to the municipality and every local board thereof have control and charge over the exercise by any of them of any of their powers with respect to,—

Municipal officers.

(a) the appointment and dismissal of its officers, employees and servants, and their powers, duties, salaries and remunerations;

(b)

- (b) the collection, receipt, application and payment of its revenues and expenditures; Revenues and expenditures.
- (c) the system of accounting and audit, and the dealing with its assets, liabilities, revenues and expenditures; Accounting and audit.
- (d) the making of and the manner and times for making the assessment and assessment rolls and of appeals therefrom; Assessment.
- (e) the yearly or other estimates and the form, preparation and completion thereof, and the times when the same shall be made; Estimates.
- (f) the amounts to be provided for and included in the yearly or other estimates, whether the same are to be provided by taxation or otherwise; What estimates shall include.
- (g) the imposition, rating, levying and collection of all rates, assessments and taxation, the mode and times for collecting the same and the allowance of discounts or imposition of penalties thereon, and for the making and return of the collector's roll; Rates and collection thereof.
- (h) borrowing of moneys for the current expenditures of the corporation until the taxes are collected;
- (i) subject to *The Power Commission Act*, the rates, rents and charges imposed, levied or collectible for supply or service of any public utility; Utility rates. Rev. Stat., c. 57.
- (j) imposition, charging and collection of all license permit or other fees, charges and expenses; License and permit fees.
- (k) the sale or other disposition of any of its assets; and Sale of assets.
- (l) without being limited by the foregoing, generally with respect to any other matter in any way affecting or pertaining to its affairs and their administration. General.

98. Where a municipality has become subject to this Part the board, with respect to the debenture debt and debentures of the municipality and interest thereon and with respect to any other indebtedness thereof, shall have power to authorize and order,—

- (a) consolidation of the whole or any portion thereof; Powers of board with respect to debt.
- (b)

- (b) issue of debentures in payment and satisfaction of the whole or any portions of such other indebtedness or any portion or portions thereof, and compulsory acceptance of such debentures in payment and satisfaction thereof;
- (c) issue of new debentures to cover any such consolidation;
- (d) issue of new debentures in substitution and exchange for any outstanding debentures and compulsory acceptance thereof by the holders of such outstanding debentures;
- (e) retirement and cancellation of the whole or any portion of the existing debenture debt and outstanding debentures, upon the issue of new debentures to cover the same or in exchange therefor;
- (f) terms, conditions, places and times for exchange of new debentures for outstanding debentures;
- (g) postponement of or variation in the terms, times and places for payment of the whole or any portion of the debenture debt and outstanding debentures and other indebtedness and interest thereon and variation in the rates of such interest;
- (h) cancellation, increase, decrease or other variation in the levy and collection of any assessment, rate or taxation, rent or charge imposed to meet, pay and discharge any debenture debt, debentures, or other indebtedness, and interest thereon, and to vary the basis, terms and times of payment thereof;
- (i) creation and setting aside of sinking funds and special reserves out of any portion of the revenues of the municipality for meeting, paying and discharging its debenture debt, debentures, or other indebtedness or any portion thereof or interest thereon;
- (j) custody, management, investment and application of sinking funds, reserves and surpluses;
- (k) ratification and confirmation of any agreement, arrangement or compromise entered into with its creditors or any of them respecting its debenture debt, debentures or other indebtedness or any portion thereof and interest thereon;

- (l) any variation, amendment or cancellation of any order made by it under this section or of the terms of any agreement, arrangement or compromise ratified and confirmed by it under this section.

99. The board upon the application of the separate school board shall have power to make orders under and in accordance with the provisions of section 98 with respect to the debenture debt, debentures and other indebtedness of the separate school board and interest thereon.

Separate
school
board.

100.—(1) Where the board upon its own initiative or upon application to it by the supervisors, the council, local board, or any of the creditors of the corporation or of any local board intends to exercise any of the powers conferred on the board under section 98, it shall before so doing, give or direct that there be given notice of such intention in the *Ontario Gazette* and by such other publication and to such persons and in such manner as to the board may seem proper, and such notice shall state the time and place when the matter is to be dealt with by the board, which time shall be not less than three months after the notice is published in the *Ontario Gazette*.

Notice of
intention to
exercise
powers to be
published in
Ontario
Gazette.

(2) The provisions of subsection 1 shall not apply with respect to any matter which is merely incidental to the exercise of any of said powers.

Subsection 1
not to apply
to matters
incidental to
exercise of
powers.

(3) The board shall not make any order under section 98 if objection in writing to the making of such order is filed with the board by creditors representing not less than one-third in amount of the aggregate of the indebtedness of the municipality, including therein debenture indebtedness, but excluding therefrom indebtedness in respect of which the municipality is not directly but only contingently or collaterally liable.

Objection
to be filed
with board.

(4) If creditors representing not less than fifty-one per centum in amount of the aggregate of the indebtedness of the municipality, including therein debenture indebtedness but excluding therefrom indebtedness in respect of which the municipality is not directly but only contingently or collaterally liable, have in writing filed with the board their approval of the making of any order of the board under section 98, it shall not be necessary that any notice be given under subsection 1 of the intention of the board to exercise its power to make such order, and in such case the provisions of subsection 3 shall not apply.

Approval by
creditors.

101. After an order of the board has been made under section 98 no portion of the debenture debt of the corporation represented

Debenture
debt not to
form part of
debt after
order of
board.

represented by debentures ordered to be cancelled, retired or exchanged shall form part of its debt within the meaning of any Act limiting its borrowing powers.

Supervisors may arrange to vary or cancel subsisting agreements.

102. The supervisors may, with the approval of the board, enter into agreements with any person with whom the municipality has previously entered into any agreement, contract or obligation which or some term, provision or obligation of which remains in whole or in part or in any manner to be observed, performed or carried out by the municipality, for the variation, amendment or cancellation of any such subsisting agreement, contract or obligation.

Board to approve debenture issues.

103.—(1) The corporation shall not, under the provisions of any special or general Act, exercise or be required to exercise any of its powers if such exercise will or may require money to be provided by the issue of debentures of the corporation, without the approval of the board first being obtained.

Approval of debenture by-laws.

(2) The corporation may, with the approval of the board, pass by-laws providing for the issue of debentures and to authorize the hypothecation or sale thereof, but no such by-law shall have any force and effect until approved by the board.

(3) The provisions of sections 83, 84, 85 and 86 of this Act shall apply.

Assent of electors not requisite.

104. It shall not be necessary that the assent of the electors of the municipality or of those thereof qualified to vote on money by-laws be obtained with respect to any by-law of the corporation or the issue thereunder of any debentures if such by-law is approved by the board.

Supervisors to have control over moneys and their application.

105. The supervisors shall have full charge and control over all moneys belonging to the corporation and received by any person for or on its behalf and such moneys shall be deposited in a chartered bank to be designated by the supervisors and when so deposited shall only be applied, used, transferred and withdrawn for such purpose in such manner and at such time or times as the supervisors may approve and direct, and all cheques drawn and issued by the corporation shall be signed and countersigned by such persons and in such manner as the supervisors may authorize.

Approval of supervisors necessary to levy rate.

106.—(1) Notwithstanding the provisions of any general or special Act no rate, assessment, or amount shall be imposed, rated, levied or directed so to be upon the rateable property within the municipality or upon any part thereof unless the approval thereto of the supervisors has first been obtained.

(2) Nothing in this Part contained shall relieve a municipality from the obligation to ultimately provide and pay to the county of which it forms or has formed part, the amounts of all county rates heretofore or hereafter directed to be levied by the county in such municipality with interest thereon at such rate as the county may have been obliged to pay upon any money borrowed by it upon debentures or otherwise until payment is made, and the payment of the said amounts with interest shall be made as and when the supervisors may direct.

County rates to be provided as supervisors may direct.

107. Notwithstanding anything in *The Assessment Act* contained, the court of revision for the municipality shall consist of three members to be appointed annually by the council with the approval of the supervisors and the members need not necessarily be members of the council.

Court of Revision.
Rev. Stat., c. 238.

108. The collector shall return his roll to the treasurer on or before such day in the year next following the year in which he received it as the supervisors may direct, and the treasurer shall as of the same day in every year add or commence to add the penalties or interest which under the provisions of *The Assessment Act* would be added on the 1st day of May in every year.

Return of collector's roll.

Rev. Stat. c. 238.

109.—(1) Where any part of the taxes on any vacant land within the municipality remains unpaid on the 31st day of December in the year next following that in which the taxes were levied, such vacant land shall be vested in and become the property of the corporation upon registration by the treasurer of a tax arrears certificate, subject to the right of redemption hereinafter provided and to the provisions of subsection 5.

Vesting of vacant lands in arrears for taxes.

(2) Where any part of the taxes on improved land within the municipality remains unpaid on the 1st day of January in the third year following that in which the taxes were levied, such improved land shall be vested in and become the property of the corporation upon registration by the treasurer of a tax arrears certificate, subject to the right of redemption hereinafter provided and to the provisions of subsection 5.

Vesting of improved lands in arrears for taxes.

(3) The treasurer, with respect to vacant land upon which any part of the taxes remain unpaid after the time mentioned in subsection 1 and with respect to improved land upon which any part of the taxes remains unpaid after the time mentioned in subsection 2, may register in the registry office a certificate to be known as a tax arrears certificate, Form 1 to this Act, setting forth therein a description of such vacant land or improved land, as the case may be, and the

Registration of tax arrears certificate.

amount of such unpaid taxes, with the amount of all penalties, interest and costs added thereto, and thereupon the land described in the certificate shall be vested in and become the property of the corporation, its successors and assigns, in fee-simple or otherwise according to the nature of the estate right, title and interest whatsoever of the owners thereof at the time of such vesting, and clear of and free from all such estate right, title and interest, and all charges and encumbrances thereon and dower therein, subject only to the said right of redemption hereinafter provided and to the provisions of subsection 5.

Notice of
registration
of
certificate.

(4) Immediately upon registration of a tax arrears certificate, the treasurer shall cause to be sent by registered mail to the last known address of the assessed owner of the land therein described and to all persons appearing by the records of the registry office to have an interest therein a written notice, Form 2 to this Act, of the registration of such certificate and of the last day for redemption of such land.

Interest of
Crown not
affected.

(5) Where the Crown, whether as represented by the government of Canada or the government of the Province of Ontario, has any interest in any land in respect of which taxes are in arrear, the interest only of the persons other than the Crown therein shall be vested in the corporation by the registration of a tax arrears certificate, and where such interest is that of a lessee, licensee or locatee, such vesting shall be valid without requiring the consent of the Minister of Lands and Forests.

Right of
redemption.

110. The owner of or any person appearing by the records of the registry office to have an interest in any vacant land or improved land in respect of which a tax arrears certificate has been registered may redeem the same at any time within one year after the date of registration of the certificate by paying to the corporation the amount set forth in such certificate in respect of the land to be redeemed, together with the amount of all expenses incurred by the corporation and the treasurer in registering the certificates and for searches and postage and \$1 for each certificate and for each notice sent under subsection 4 of section 109, and also by paying to the corporation all taxes including the local improvement rates and interest thereon which would have accrued against the land if it had remained the property of the former owner and had been liable for ordinary taxation and if the value thereof is not shown upon the assessment roll, such taxes shall be computed at the rate fixed by by-law for each year for which such taxes are payable upon the value placed thereon upon the assessment roll for the last preceding year

in which it was assessed and the local improvement rates shall be computed at the rate fixed in the by-law by which the same were rated or imposed and upon the frontage as shown upon the list of properties and the frontages thereof as settled by the court of revision for such local improvement, and a certificate of the treasurer as to the total amount payable in order to redeem the land shall be final and conclusive.

(2) Upon redemption being made under this section, the treasurer shall forthwith register in the registry office a certificate to be known as a redemption certificate, Form 3 to this Act, setting forth therein a description of the land redeemed, and a redemption certificate shall, subject to subsection 3, when registered, be as valid and effective in law as a conveyance of the land described therein to the registered owner at the time of registration of the tax arrears certificate, his heirs or assigns, of the original estate of such registered owner and a valid and effectual cancellation of the tax arrears certificate registered with respect to such land.

Registration of redemption certificate.

(3) If land is redeemed by any person entitled to redeem the same other than the owner such person shall have a lien upon the owner's interest therein for the amount paid to redeem the said land.

Lien on redemption by other than owner.

111.—(1) Every certificate registered under sections 109 and 110 shall be entered by the registrar in the registry book in its proper order and in the proper abstract index provided under *The Registry Act*.

Duty of registrar.

(2) The registrar shall be entitled to the following fees for registration of a certificate under sections 109 and 110 and for searches made for the corporation for the purposes of section 109 and no others:

Fees of registrar.

- (a) For registering a tax arrears certificate, \$2.00;
- (b) For registering a redemption certificate, .50c.;
- (c) If either certificate embraces more than one parcel of land, for each additional parcel over one, .05c.;
- (d) For each search made for the corporation for the purposes of section 109 five cents for each lot searched, but in no case to be more than \$5 for a search in respect of the lands described in any one tax arrears certificate.

(3) No tax shall be payable under the provisions of *The Land Transfer Tax Act* on registration of any tax arrears or redemption certificate.

Land transfer tax not payable. Rev. Stat., c. 31.

Right of
appeal of
supervisors.
Rev. Stat.,
c. 238.

112.—(1) The supervisors shall have the same right of appeal as any person assessed has under subsection 3 of section 72 of *The Assessment Act* with respect to the assessment roll of the municipality.

(2) An appeal by the supervisors under this section may be made at any time within twenty days after the return of the roll and such appeal may be with respect to any particular assessment or omission to assess or generally with respect to all of the assessments included in the roll or any area of the municipality described in the notice of appeal or generally with respect to assessments of land only or buildings only or income or business included in the roll or in any area of the municipality defined in the notice of appeal.

(3) The supervisors shall have the same right of appeal from any decision of the court of revision or county judge as a person assessed has under *The Assessment Act*.

(4) Save as provided in subsection 2, in any appeal against a particular assessment by the supervisors the practice and procedure thereon shall be the same as in the case of an appeal by a person assessed.

Practice and
procedure in
general
appeal.

(5) In any general appeal by the supervisors under the authority of this section the practice and procedure shall be determined by the court of revision, county judge or the board, as the case may be, and such notice or notices of the appeal shall be given by publication or otherwise as may be determined by the court, judge or board and upon the hearing of any such general appeal the court, judge or board shall have jurisdiction to review any or all of the assessments included in the roll as may be necessary to determine the appeal and may make any changes, alterations and amendments therein, and also to direct the making of a new assessment roll in accordance with the terms of the order of the court, judge or board.

Compromise
of tax
arrears.

113. The supervisors may authorize a compromise of tax arrears to be entered into between the corporation and any ratepayer and in such compromise may provide for an extension of the time of payment of such arrears and a reduction of the amount thereof and acceptance of any debentures or debenture coupons of the corporation in satisfaction of the whole or part thereof.

Effect of
agreements.

114. Any agreement entered into in accordance with the provisions of this Part shall be binding upon and enure to the benefit of the parties thereto and all persons over whom the Legislature of this province has legislative authority.

115. The housing commission may with the approval of the board, amend the terms of any agreement for sale of property heretofore or hereafter entered into by it, and with respect to property sold under any agreement which has been cancelled or determined may enter into new agreements for sale thereof, and the terms of any such amended or new agreement may be such as the board may approve.

Power of housing commission to amend agreements.

116. The jurisdiction and powers of a municipality subject to this Part exercisable under the provisions of any general or special Act shall only be exercised in accordance with and subject to the provisions of this Part and of any order of the board made, direction of the supervisors given and agreement entered into thereunder.

Exercise of municipal jurisdiction subject to this Part.

117.—(1) The board shall have exclusive jurisdiction as to all matters arising under this Part or out of the exercise by the corporation or any other person of any of the powers conferred by this Part, and such jurisdiction shall not be open to question or review in any action or proceeding or by any court.

Exclusive jurisdiction of board.

(2) The board may at any time of its own initiative or upon application made to it review any order, direction or decision of the supervisors and confirm, amend, vary or revoke the same.

Supervisors' directions subject to review by board.

(3) Any order made or approval given by the board under this Part shall, subject to the right of the board to review and amend or revoke the same, be final and conclusive and not open to question in any court, except by leave of the board.

Orders of board final.

118. The board may make such orders and prescribe such forms from time to time as it may deem necessary to carry out the provisions of this Part or any agreement made in pursuance thereof and make rules and regulations in respect of applications, matters and things under this Part.

Powers of board.

119. Every certificate, notice or other form which is in substantial conformity with the form thereof required by the provisions of this Part or prescribed by the board, shall not be open to objection on the ground that it is not in the form required by the provisions of this Part or as prescribed by the board.

Forms of certificates, notices, etc.

120. Where a municipality has become subject to this Part, all acts, deeds, matters and things done, made or performed by or for the board or by or for the supervisors under this Part, in relation to the affairs of such municipality shall for all purposes be deemed to have been made, done and performed by and for the municipality and in its name.

Powers exercisable for and in name of municipality.

Boards and supervisors to have access to all books and records.

121. The board and the supervisors shall have access at all times to all books, records, papers and documents of the municipality and of every local board, including but without limiting the generality of the foregoing, all assessment rolls, collectors' rolls, by-laws, minute books, books of account, vouchers, and other records, papers and documents relating to its and their financial transactions, and may inspect, examine, audit and copy the same or any part thereof.

Powers of board to enforce orders.

122.—(1) Where a municipality has become subject to this Part, and its council or any local board fails, neglects or refuses to comply with any order, direction or decision of the board or the supervisors, the board may upon such notice, if any, as it may prescribe, do or order done all acts, deeds, matters and things necessary for compliance with such order or direction, and may exercise all the powers of the municipality or local board for such purpose and under its or their name and seal.

Liability of members of council and local boards for non-compliance with orders and directions.

(2) The council and every local board thereof, and every one of its or their members, officers, employees and servants shall comply with the orders, directions and decisions of the board or the supervisors in any matter relating to the administration of the affairs of such municipality or local board and, any such person who knowingly or wilfully fails, neglects or refuses to observe and comply with any such order, direction or decision, or who, as a member of the council or local board, votes contrary thereto shall incur a penalty of not less than \$25 and not more than \$500 for each offence, recoverable under *The Summary Convictions Act*, and any penalty so recovered shall belong to the general funds of the municipality.

Rev. Stat., c. 121.

Personal liability and disqualification of members of council and local boards.

(3) If a municipality subject to this Part applies any of its funds otherwise than as ordered or authorized by the board or the supervisors, the members of the council or local board who vote for such application shall be jointly and severally liable for the amount so applied, and the same may be recovered in any court of competent jurisdiction, and such members shall also be disqualified from holding any municipal office for five years.

Dismissal of municipal officers for non-compliance with orders and directions.

123. The board may dismiss from office any officer, employee or servant of a municipality who fails, neglects or refuses to carry out any order, direction or decision of the board or the supervisors.

Injunction against exercise of municipal powers when not approved by board.

124. The board may by injunction proceedings instituted in its own name prevent or stop the exercise by or for a municipality of any of its powers which have not been approved by the board or the supervisors, when such approval is required under this Part.

125. The supervisors may direct that any two or more of the offices of the municipality shall be combined and held by the same officer, and may subsequently separate any of the offices so combined.

126.—(1) The board may direct payment to the supervisors or any of them of such salary, fees, or remuneration and travelling and other expenses reasonably incurred by them as the board may determine.

(2) The supervisors with the approval of the board may appoint some person who may be one of the supervisors or an officer of the corporation to exercise such powers and duties as the order of the board may provide, and the person so appointed shall be paid such salary and allowed such travelling and other expenses as the board may determine.

(3) The board in determining the salaries to be paid to the supervisors or to any person appointed by them under subsection 2 shall give consideration to such representations with respect thereto as the council may at any time make.

(4) All salaries, fees, remuneration, travelling and other expenses payable to the supervisors under this section and all other expenses incurred by the board or the supervisors in the carrying out the provisions of this Part or in the exercise of their powers thereunder shall be paid by the corporation or local board, as the case may be, and be chargeable to such of its accounts as the supervisors may direct.

127. The supervisors or any of them shall not be liable for any act or omission of them or any of them or of any person appointed or employed by them or any of them whatsoever save and except an act or omission involving his own fraud. No suit, action or other proceeding shall be brought against the supervisors or any one or more of them for anything done or omitted to be done or purported to be done by them, or any of them, in the carrying out of the provisions of this Part, save and except for an act or omission involving his or their fraud.

128. The powers contained in this Part shall be deemed to be in addition to and not in derogation of any power of the board and the municipality under this or any other Act, but where the provisions of any general or special Act or any other Part of this Act conflict with the provisions of this Part, the latter shall prevail.

129. Where the board is of opinion that the affairs of a municipality no longer require to be administered under this Part, it may make an order directing that on, from and after

a date fixed thereby the provisions of this Part shall no longer apply to the municipality and on, from and after such date the board and the supervisors shall cease to exercise jurisdiction and control over the municipality under this Part, and the committee of supervisors shall thereupon be dissolved.

(*Part VI new*).

PART VII

RAILWAY AND UTILITIES JURISDICTION

Jurisdiction
of board.

130. The board shall have jurisdiction and power to,—

Railway
and utility
matters.

(a) enquire into, hear and determine any applications made, proceedings instituted and matters brought before it under the provisions of any general or special Act relating to railways or public utilities or any of them where by such Act any jurisdiction or power is for such purpose conferred on the board;

Complaints
of breach of
railway or
utility
statutes,
orders,
agreements,
etc.

(b) hear and determine any application with respect to any railway or public utility, its construction, maintenance or operation by reason of the contravening or failure to comply on the part of any person, firm, company, corporation or municipality of or with the requirements of this or any other general or special Act, or of any regulation, rule, by-law or order made thereunder; or of any agreement entered into in relation to such railway, or public utility, its construction, maintenance or operation;

Railway
and public
utility rates
and tolls.

(c) hear and determine any application with respect to any tolls charged by any person, firm, company, corporation or municipality operating a railway or public utility in excess of those approved or prescribed by lawful authority, or which are otherwise unlawful, unfair or unjust. *R.S.O. 1927, c. 225, s. 20, amended.*

Jurisdiction
over
receivers,
liquidators,
etc., of
railway or
public
utility.

131. The fact that a manager or other official or the liquidator or receiver of a railway or public utility is managing or operating or liquidating it under the authority of any court shall not be a bar to the exercise by the board of any jurisdiction or power conferred by this or any other general or special Act; and every such manager, official, liquidator or receiver shall be bound to manage, operate or liquidate such railway or public utility in accordance with this Act and under the orders and directions of the board, whether general or referring particularly to such railway or public utility, and he and every person acting under him shall obey all orders and directions of the board with respect to such railway or

public

public utility and be subject to have them enforced against him by the board, notwithstanding his authority or any order of the court under which he is appointed or acts. *R.S.O. 1927, c. 225, s. 20 (5), amended.*

132.—(1) Wherever,—

- (a) any power or authority is given to or duty imposed upon the Railway Committee of the Executive Council of Ontario by any Act or document; Powers, etc. of Railway Committee transferred to Board.
- (b) by any Act of this Legislature the location of any line of railway or the route and course thereof, or the maps, plans, and specifications, or any part of the equipment are subject to the approval of the Lieutenant-Governor in Council or of any of his Ministers; Location of line.

such power or authority may be exercised and such duty shall be performed and such approval may be given by the board.

(2) Whenever in any Act it is provided that any railway company shall, during construction of any line of railway, furnish such information as to the location and plans of passenger or freight stations as may from time to time be required by the Lieutenant-Governor or any of his Ministers, or that such company shall comply with any directions that may be given for the erection of stations, or the number of them, such information shall be furnished to the board and its directions shall be complied with by the company. *R.S.O. 1927, c. 225, s. 4 (6), (7).* Furnishing information.

133. The decision of the board as to whether any person, firm, company, corporation or municipality is or is not a party interested within the meaning of any of the provisions of this Part shall be binding and conclusive upon such persons, firms, companies, corporations or municipalities. *R.S.O. 1927, c. 225, s. 20 (6).* Who is a "party interested."

134.—(1) The board shall superintend the system of book-keeping and keeping accounts of the assets, liabilities, revenue and expenditure of all railways and public utilities which are operated by or under the control of a municipality or a local board, and may require from it such returns and statements as to the board may seem proper, and may extract from such returns and statements such information as, in the opinion of the board, may be useful for publication, and may embody such portions of such returns and statements in the annual report of the board as to it may seem proper. Super-intending accounts of railways and public utilities operated by municipalities.

Enquiry
and report
as to rates
charged by
public
utilities.

(2) The board may from time to time enquire and report as to whether such railway or public utility is operated in such a way that the rates charged in respect thereof are sufficient to pay the debenture debt and interest created in respect thereof, and the cost of operation and maintenance, or whether greater rates are charged than are sufficient for such purposes.

Exception.

(3) This section shall not apply to a public utility for the development or distribution of electrical power or energy obtained directly or indirectly from the Hydro-Electric Power Commission of Ontario. *R.S.O. 1927, c. 225, s. 57, amended.*

May
arbitrate
labour
difficulties.

135.—(1) A dispute between a railway or public utility company or corporation and its employees may be submitted to the board for its determination and settlement.

Submission.

(2) The submission shall be in writing and shall contain a statement of the matters in dispute, and also an agreement to abide by the determination of the board and to continue in business or at work without a lockout or strike during the investigation.

Investi-
gation.

(3) Upon such submission the board shall investigate and determine the matters in dispute and shall render its decision within ten days after the completion of the investigation.

Procedure.

(4) The proceedings shall, as nearly as may be, be the same as in the case of any other enquiry which the board is authorized to make, but the board may regulate the proceedings and the manner of conducting them as to the board may seem meet. *R.S.O. 1927, c. 225, s. 59.*

To mediate
in case of
strikes.

136.—(1) Whenever a strike or lockout of the employees of any railway or public utility company or corporation occurs, or is threatened, the board shall proceed as soon as practicable to the locality thereof and endeavour by mediation to effect an amicable settlement of the controversy.

Enquiry into
cause of
dispute and
suggesting
terms of
settlement.

(2) Wherever there exists any such strike or lockout by reason of which, in the opinion of the board, the general public is likely to suffer injury or inconvenience with respect to food, fuel, light or power, or the means of communication or transportation, or in any other respect, and the parties to such strike or lockout will not consent to submit the matters in controversy to the board, the board, after having first endeavoured to effect a settlement by conciliatory means and having failed, may proceed of its own motion to make an investigation of all facts bearing upon such strike or lockout,

and

and shall make public its findings with such recommendations to the parties as, in its judgment, will contribute to a fair and equitable settlement of their differences, and in the prosecution of such enquiry the board shall have all the powers conferred upon it by section 135. *R.S.O. 1927, c. 225, s. 60.*

PART VIII

PRACTICE AND PROCEDURE

Notices. Evidence.

137. Any notice required or authorized to be given in writing,— Notice, requisites of.

- (a) by the board, may be signed by the chairman or secretary;
- (b) by the inspecting engineer, or other officer or person appointed by the board, may be signed by such inspecting engineer, officer or other person, as the case may be;
- (c) by any company or corporation, may be signed by the president or secretary, or by its duly authorized agent or solicitor; and
- (d) by any person, may be signed by such person or his duly authorized agent or solicitor. *R.S.O. 1927, c. 225, s. 27.*

138.—(1) Any notice required to be given to a company, municipality, corporation, co-partnership, firm or individual, shall be deemed to be sufficiently given by delivering the same, or a copy thereof, within the time, if any, limited therefor,— Notices,— how served.

- (a) in the case of a railway company, to the president, vice-president, managing director, secretary or superintendent of the company, or to some adult person in the employ of the company at the head or any principal office of the company; Railway company.
- (b) in the case of a municipality, to the head of the municipality, or to the clerk; Municipality.
- (c) in the case of any other company or corporation, to the president, vice-president, manager or secretary, or to some adult person in its employ at its head office; Other companies.

(d)

Co-partnership.

(d) in the case of a firm or co-partnership, to any member thereof, or, at the last known place of abode of any such member, to any adult member of his household, or at the office or place of business of the firm to a clerk employed therein; and,

Individuals.

(e) in the case of an individual, to him, or, at his last known place of abode, to any adult member of his household, or, at his office or place of business, to a clerk in his employ.

Service by publication.

(2) If, in any case within the jurisdiction of the board, it is made to appear, to the satisfaction of the board that service of any such notice cannot conveniently be made, in the manner provided in the next preceding subsection, the board may order and allow such service to be made by the publication of such notice for any period not less than three weeks in the Ontario Gazette, and also, if required, in any other newspaper; and such publication in each case shall be deemed to be equivalent to service in the manner provided in the said subsection.

Service of other documents.

(3) Any regulation, order, direction, decision, report or other document may, unless in any case otherwise provided, be served in like manner as notice may be given under this section. *R.S.O. 1927, c. 225, s. 28.*

Duty of company on receipt of notice or order.

139. Every company, municipality or corporation shall, as soon as possible after the receipt by it, or service upon it, of any regulation, order, direction, decision, notice, report or other document of the board, or of the inspecting engineer, give cognizance thereof to each of its officers and servants performing duties which are or may be affected thereby, by delivering a copy to him or by posting up a copy thereof in some place where his work or his duties, or some of them, are to be performed. *R.S.O. 1927, c. 225, s. 29.*

Duty of sheriffs, etc.

140. Sheriffs, deputy sheriffs, constables and other peace officers shall aid, assist and obey the board in the exercise of the jurisdiction conferred by this Act whenever required so to do, and shall, upon the certificate of the secretary, be paid by the county interested the like fees as for similar services at the sittings of the Supreme Court for the trial of actions, and such fees shall be charged as expenses of the administration of justice. *R.S.O. 1927, c. 225, s. 30.*

Effect of documents issued by company.

141. Every written or printed document purporting to have been issued or authorized by a company or any officer, agent or employee of a company, or any other person or company for or on its behalf, shall, as against the company, be received as *prima facie* evidence of the issue of such document by the

company,

company, and of the contents thereof, without any further proof than the mere production of such document: *R.S.O. 1927, c. 225, s. 31.*

142.—(1) Every document purporting to be signed by the chairman and secretary, or by either of them, or by an inspecting engineer, shall, without proof of the signature, be *prima facie* evidence that such document was duly signed, and shall be sufficient notice to the company and all parties interested, if served in the manner provided by section 138 for service of notice, that such document was duly signed and issued by the board, or inspecting engineer, as the case may be. Evidence of documents.

(2) If such document purports to be a copy of any regulation, order, direction, decision or report, made or given by the board, or inspecting engineer, it shall be *prima facie* evidence of such regulation, order, direction, decision or report, and, when served in the manner provided by section 138, shall be sufficient notice of such regulation, order, direction, decision or report from the time of such service. *R.S.O. 1927, c. 225, s. 32.* Evidence of regulations, etc., etc.

143.—(1) Any document purporting to be certified by the secretary as being a copy of any plan, profile, book of reference or other document deposited with the board, or of any portion thereof, shall, without proof of signature of the secretary, be *prima facie* evidence of such original document, and that the same is so deposited, and is signed, certified, attested or executed by the persons by whom and in the manner in which the same purports to be signed, certified, attested or executed, as shown or appearing from such certified copy, and also, if such certificate states the time when such original was so deposited, that the same was deposited at the time so stated. Certified plan, etc., prima facie evidence.

(2) A copy of any regulation, order or other document in the custody of the secretary, or of record with the board, purporting to be certified by the secretary to be a true copy and purporting to be sealed with the seal of the board, shall be *prima facie* evidence of such regulation, order or document, without proof of the signature of the secretary. *R.S.O. 1927, c. 225, s. 33.* Certified copies of documents of board.

144. Any rule, regulation, order or decision of the board, when published by the board, or by leave of the board, for three weeks in the *Ontario Gazette*, and while the same remains in force, shall have the like effect as if enacted in this Act, and all courts shall take judicial notice thereof. *R.S.O. 1927, c. 225, s. 34.* Publication of regulations and orders.
Judicial notice.

145. Unless otherwise provided ten days' notice of any application to the board, or of any hearing by the board, shall be sufficient, but the board may in any case direct longer or permit shorter notice of the application. *R.S.O. 1927, c. 225, s. 35.* Notice of application.
Board may vary length of time.

Procedure
in urgent
cases when
no notice
given.

146.—(1) When the board is authorized to hear an application, complaint, or dispute, or make any order, upon notice to the parties interested, it may, upon the ground of urgency, or for other reason appearing to the board to be sufficient, notwithstanding any want of or insufficiency in such notice, make the like order or decision in the matter as if due notice had been given to all parties; and such order or decision shall be as valid and take effect in all respects as if made on due notice.

When
rehearing in
such cases
may be had.

(2) Any person entitled to notice and not sufficiently notified may, at any time within ten days after becoming aware of such order or decision, or within such further time as the board may allow, apply to the board to vary, amend or rescind such order or decision, and the board shall thereupon, on such notice to other parties interested as it may in its discretion think desirable, hear such application, and either amend, alter or rescind such order or decision, or dismiss the application, as may seem to it just. *R.S.O. 1927, c. 225, s. 36.*

Orders of Court

Making
decisions
or orders.
Orders of
court.

147.—(1) A certified copy of any order or decision made by the board under this Act or any general or special Act may be filed in the office of the Registrar of the Supreme Court, and shall thereupon become and be enforceable as a judgment or order of the Supreme Court to the same effect, but the order or decision may be nevertheless rescinded or varied by the board.

Board
may select
method of
enforcing
order.

(2) It shall be optional with the board to adopt the method provided by this section for enforcing its orders or decisions or to enforce them by its own action. *R.S.O. 1927, c. 225, s. 37.*

Terms of Orders

Contingent
orders.

148.—(1) The board may direct in any order that the same, or any portion or provision thereof, shall come into force at a future fixed time, or upon the happening of any contingency, event or condition in such order specified, or upon the performance, to the satisfaction of the board or person named by it, of any terms which the board may impose upon any party interested, and the board may direct that the whole, or any portion of such order, shall have force for a limited time, or until the happening of any specified event.

Subject
to forms.

Limited as
to terms.

Interim
orders.

(2) The board may, instead of making an order final in the first instance, make an interim order and reserve further directions, either for an adjourned hearing of the matter or for further application. *R.S.O. 1927, c. 225, s. 38.*

149. Upon any application to the board the board may make an order granting the whole, or part only, of such application, or may grant such further or other relief in addition to, or in substitution for, that applied for as to the board may seem just and proper as fully in all respects as if such application had been for such partial, other, or further relief. *R.S.O. 1927, c. 225, s. 39.*

May grant partial or other relief than that applied for.

150. The board may, if the special circumstances of any case, in its opinion, so require, make an *interim ex parte* order authorizing, requiring or forbidding anything to be done which the board would be empowered on application, notice and hearing to authorize, require or forbid, but no such order shall be made for any longer time than the board may deem necessary to enable the matter to be heard and determined. *R.S.O. 1927, c. 225, s. 40.*

Interim *ex parte* orders.

151. When any work, act, matter or thing is, by any regulation, order or decision of the board, required to be done, performed or completed within a specified time the board may, if the circumstances of the case, in its opinion, so require, upon notice and hearing, or in its discretion upon *ex parte* application, extend the time so specified. *R.S.O. 1927, c. 225, s. 41.*

Extension of time specified in order.

General Rules

152. The board may make general rules regulating its practice and procedure. *R.S.O. 1927, c. 225, s. 42.*

Power to make rules.

Other Provisions

153. An order of the board need not show upon its face that any proceeding or notice was had or given, or any circumstance existed, necessary to give it jurisdiction to make such order. *R.S.O. 1927, c. 225, s. 43.*

Presumption of jurisdiction to make order.

154.—(1) In determining any question of fact the board shall not be concluded by the finding or judgment of any other court in any action, prosecution or proceeding involving the determination of such fact, but such finding or judgment shall, in proceedings before the board, be *prima facie* evidence only.

Effect of finding of fact in another court.

(2) Subject as in this Act is otherwise provided the pendency of any action, prosecution or proceeding in any other court involving questions of fact shall not deprive the board of jurisdiction to hear and determine the same questions of fact.

Jurisdiction not affected.

(3) The finding or determination of the board upon any question of fact within its jurisdiction shall be binding and conclusive. *R.S.O. 1927, c. 225, s. 44.*

Effect of finding of board on questions of fact.

Stating
case for
opinion of
Court of
Appeal.

155.—(1) The board may, at the request of the Lieutenant-Governor in Council, or of its own motion, or upon the application of any party, and upon such security being given as it directs, state a case in writing for the opinion of the Court of Appeal of the Supreme Court upon any question which, in the opinion of the board, is a question of law.

Action
thereon.

(2) The Court of Appeal shall hear and determine such special case and remit the same to the board with the opinion of the court thereon. *R.S.O. 1927, c. 225, s. 45.*

Power of
Lieutenant-
Governor in
Council to
vary or
rescind
orders or
regulations
of the board.

156. The Lieutenant-Governor in Council may, at any time, upon petition of any party, person or company interested, all parties interested having been first heard, vary or rescind any order, decision, rule or regulation of the board, whether such order or decision is made *inter partes* or otherwise, and whether such regulation is general or limited in its scope and application; and any order which the Lieutenant-Governor in Council may make with respect thereto shall be binding upon the board and upon all parties. *R.S.O. 1927, c. 225, s. 46.*

Appeal on
questions of
jurisdiction.

157.—(1) Subject to the provisions of Parts V and VI, an appeal shall lie from the board to the Court of Appeal of the Supreme Court upon a question of jurisdiction or upon any question of law, but such appeal shall not lie unless leave to appeal is obtained from the court within one month after the making of the order or decision sought to be appealed from or within such further time as the court, under the special circumstances of the case, shall allow after notice to the opposite party stating the grounds of appeal.

Notice
of appeal.

(2) Upon such leave being obtained the registrar shall set the appeal down for hearing at the next sittings, and the party appealing shall, within ten days, give to the parties affected by the appeal, or the solicitors by whom such parties were represented before the board, and to the secretary, notice in writing that the case has been so set down; and the appeal shall be heard by such court as speedily as practicable.

Opinion
of court.

(3) On the hearing of any appeal the court may draw all such inferences as are not inconsistent with the facts expressly found by the board and are necessary for determining the question of jurisdiction or law, as the case may be, and shall certify its opinion to the board and the board shall make an order in accordance with such opinion.

Board may
be heard by
counsel.

(4) The board shall be entitled to be heard, by counsel or otherwise, upon the argument of any such appeal.

Rules of
court as to
cost, etc.

(5) The Supreme Court shall have power to fix the costs and fees to be taxed, allowed and paid upon such appeals,

and

and to make rules of practice respecting appeals under this section, and until such rules are made the rules and practice applicable to appeals from a judge of the Supreme Court to the Court of Appeal shall be applicable to appeals under this Act.

(6) Subject to the provisions of Parts V and VI, when the matter in controversy exceeds the sum or value of \$4,000 or relates to the duration of a privilege to operate a railway along a highway, or to the construction of an agreement between a railway company and a municipal corporation, or to any demand affecting the rights of the public or to any demand of a general or public nature affecting future rights, an appeal shall lie from the Court of Appeal to His Majesty in His Privy Council, but no appeal shall lie to His Majesty in His Privy Council in any other case, except by leave of His Majesty. *R.S.O. 1927, c. 225, s. 47 (1-6).*

Appeals to Privy Council in certain cases.

(7) No appeal shall lie to His Majesty in His Privy Council, from any decision of the Court of Appeal upon an appeal from the board under *The Assessment Act* or under Part VI of this Act. *R.S.O. 1927, c. 225, s. 47 (7), amended.*

No appeal in certain cases.
Rev. Stat., c. 238.

(8) Neither the board nor any member of the board shall in any case be liable to any costs by reason or in respect of any appeal or application under this section.

Members of board not liable for costs.

(9) Save as provided in this section and in section 156,—

Decisions of board to be final.

(a) every decision or order of the board shall be final; and,

(b) no order, decision or proceeding of the board shall be questioned or reviewed, restrained or removed by prohibition, injunction, *certiorari* or any other process or proceeding in any court. *R.S.O. 1927, c. 225, s. 47 (8 and 9).*

Not to be questioned by prohibition, etc.

158.—(1) The costs of and incidental to any proceeding before the board, except as herein otherwise provided, shall be in the discretion of the board, and may be fixed in any case at a sum certain or may be taxed.

Costs.

(2) The board may order by whom and to whom any costs are to be paid, and by whom the same are to be taxed and allowed.

Taxation.

(3) The board may prescribe a scale under which such costs shall be taxed. *R.S.O. 1927, c. 225, s. 49.*

Scale.

159. Every person summoned to attend before the board or before any inspecting engineer, or person appointed to make inquiry and report, shall, in the discretion of the board,

Witness fees.

receive

receive the like fees and allowances for so doing as if summoned to attend before the Supreme Court. *R.S.O. 1927, c. 225, s. 53.*

Fees
for copies,
certificates,
etc.

160.—(1) The board may charge and collect such fees, as to it may seem proper for all copies of documents, maps or plans, and all certificates as to the same.

Payment
over to
Province.

(2) All fees charged and collected by the board shall be paid over quarterly, accompanied by a detailed statement thereof, to the Treasurer of Ontario. *R.S.O. 1927, c. 225, s. 61.*

Fees on
orders of
board to be
paid in
stamps.

161. There shall be paid in law stamps upon every order made by the board such sum as it may direct, regard being had to the time occupied by the board and its officers and the expense occasioned to the Province in the matter, and such law stamps shall be provided in the first instance by the applicant for such order, and such sum shall be a debt due by the applicant to His Majesty, and a summary order may be made for payment thereof by the board, and the order may be made an order of the Supreme Court. *R.S.O. 1927, c. 225, s. 62.*

PART IX

MISCELLANEOUS

ANNUAL REPORT OF BOARD

Annual
report.

162.—(1) The board shall make an annual report, on or before the 31st day of March in each year, to the Lieutenant-Governor, which shall contain,—

Contents.

- (a) a record of its meetings and an abstract of its proceedings during the preceding calendar year;
- (b) a statement of the result of any examination or investigation conducted by it;
- (c) such statements, facts and explanations as will disclose the actual workings of the system of railway transportation in its bearing upon the business and prosperity of Ontario, and such suggestions as to the general railway policy of the Province, of the amendments of its laws, or the condition, affairs or conduct of any railway or street railway as may seem to it advisable;
- (d) such tables and abstracts of all the reports of all the railway and street railway companies as it may deem expedient;

(e)

- (e) a statement in detail of its disbursements;
- (f) such other matters as appear to the board to be of public interest in connection with the persons, companies and railways, subject to this Act; and,
- (g) such matters as the Lieutenant-Governor in Council directs.

(2) The Lieutenant-Governor shall lay the report before the Assembly forthwith if then in session, or if not then in session within fifteen days after the commencement of the next session. *R.S.O. 1927, c. 225, s. 56.* Laying report before Assembly.

163. If any officer or servant of the board, or any person having access to or knowledge of any return made to the board, or of any evidence taken by the board in connection therewith, without the authority of the board first obtained, publishes or makes known any information, having obtained the same or knowing the same to have been derived from such return or evidence, he shall incur a penalty not exceeding \$500 for such offence and shall also be liable to imprisonment for any term not exceeding six months. *R.S.O. 1927, c. 225, s. 58.* Publishing information without leave. Penalty.

164. Nothing in this Act contained shall confer upon the board any jurisdiction as to matters which, under *The Power of Hydro-Electric Power Commission Act*, are within the exclusive jurisdiction of The Hydro-Electric Power Commission of Ontario. *R.S.O. 1927, c. 225, s. 20 (7).* Powers of Hydro-Electric Power Commission. Rev. Stat., c. 57.

165. The following Acts and Parts of Acts are repealed, namely,— Repeal.

- (a) *The Railway and Municipal Board Act*, being chapter 225 of the Revised Statutes of Ontario, 1927;
- (b) Section 11 of *The Statute Law Amendment Act, 1928*;
- (c) Section 12 of *The Statute Law Amendment Act, 1929*;
- (d) *The Bureau of Municipal Affairs Act*, being chapter 232 of the Revised Statutes of Ontario, 1927;
- (e) Section 304 of *The Municipal Act*, being chapter 233 of the Revised Statutes of Ontario, 1927.
- (f) *The Municipal and School Accounts Audit Act*, being chapter 243 of the Revised Statutes of Ontario, 1927; and

(g)

(g) *The Municipal and School Accounts Audit Act, 1931.*

Commence-
ment of Act. **166.** This Act shall come into force on the day upon
which it receives the Royal Assent.

FORM 1

TAX ARREARS CERTIFICATE

To the Registrar of the Registry Division of the of

I HEREBY CERTIFY by virtue of *The Ontario Municipal Board Act, 1932*, section 109, that the lands hereinafter described, by reason of certain taxes thereon remaining unpaid for the period mentioned in said section are hereby vested in and have become the property of the of (naming the municipality).

Description of Lands	Amount of Unpaid Taxes with Penalties, Interest and Costs	Whether Vacant or Improved Land

The period within which the right of redemption may be exercised under the said Act with respect to the above described land is one (1) year from the date of registration of this certificate.

Dated at this day of, 19 ..

.....
Treasurer.

FORM 2

NOTICE OF REGISTRATION OF TAX ARREARS CERTIFICATE

TAKE NOTICE that by virtue of *The Ontario Municipal Board Act, 1932*, section 109, a tax arrears certificate has been registered against the following lands, namely:

.....
.....

and by reason thereof the same are vested in and have become the property of the corporation of the of (naming the municipality) subject only to your right of redemption of the same on or before the day of, 19 .., which is the last day for redemption.

Dated at this day of, 19 ..

.....
Treasurer.

FORM 3

REDEMPTION CERTIFICATE

To the Registrar of the Registry Division of the of

I HEREBY CERTIFY that the lands hereunder described have been redeemed by under the provisions of *The Ontario Municipal Board Act, 1932*.

Description of Lands

.....
.....

Take notice that where land is redeemed by any person entitled to redeem the same other than the owner, such person has a lien upon the owner's interest therein for the amount paid to redeem said land.

Dated at this day of, 19 ..

.....
Treasurer.

CHAPTER 28.

An Act to amend The Telephone Act.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1.** This Act may be cited as *The Telephone Act, 1932.*

Rev. Stat., c. 227, s. 18, repealed. **2.** Section 18 of *The Telephone Act*, is repealed and the following substituted therefor:

Extension of system into unorganized township.

18. Subject to section 84 of this Act, the council of the initiating municipality may, with the consent of the Board, extend the system into an unorganized township, and the part of such unorganized township into which the system is extended, to be defined by the Board, shall, for the purposes of this Act, be deemed to be annexed to the initiating municipality, and the council and officers thereof shall levy and collect all special rates under this Act and do all acts and perform all duties and be subject to the same liabilities in respect to such part of such unorganized township as, for the purposes of this Act, they may do, perform and are subject to with respect to the initiating municipality.

Rev. Stat., c. 227, s. 84, repealed. **3.** Section 84 of *The Telephone Act*, is repealed and the following substituted therefor:

Right to use highways in unorganized townships.

84. In unincorporated territory the right to use, for the foregoing purposes, any highway or road allowance situated in a township without municipal organization may be granted by the Minister of the Department of Lands and Forests, upon such terms and conditions and subject to such rentals or charges as may be fixed by the said Minister.

Rev. Stat., c. 227, s. 88, repealed. **4.** Section 88 of *The Telephone Act* is repealed and the following substituted therefor:

88. No by-law of an incorporated telephone company shall have any force or effect or be acted upon until approved by the Board. By-laws to be approved by Board.
5. Section 89 of *The Telephone Act* is amended by striking out the words "established under this Act," at the end thereof, so that the section shall now read as follows: Rev. Stat. c. 227, s. 89, amended.
89. The provisions of sections 189, 190 and 191 of *The Companies Act* shall not be applicable to telephone systems. Ss. 189, 190 and 191 of Rev. Stat., c. 218, not to apply.
6. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 29.

The Municipal Amendment Act, 1932.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The Municipal Amendment Act, 1932*.

Rev. Stat.,
c. 233, s. 47,
amended. **2.** Section 47 of *The Municipal Act* is amended by adding thereto the following subsection:

Election
by wards. (3) Where a town in unorganized territory has been divided into wards the council may provide that the council shall be composed of a mayor and one councillor for each ward, and the remaining councillors to complete the full number of six or nine, as the case may be, to be elected by general vote.

Rev. Stat.,
c. 233, s. 48,
subs. 4,
amended. **3.**—(1) Subsection 4 of section 48 of *The Municipal Act* is amended by striking out the word and figure "subsection 2" where they first occur in the second line and inserting in lieu thereof the words and figures "subsection 2 or 3."

Rev. Stat.,
c. 233, s. 48,
subs. 5,
amended. (2) Subsection 5 of the said section 48 is amended by striking out the word and figure "subsection 2" where they first occur in the first and second lines and inserting in lieu thereof the words and figures "subsection 2 or 3."

Rev. Stat.,
c. 233, s. 51,
subs. 2,
amended. **4.** Subsection 2 of section 51 of *The Municipal Act* is amended by inserting after the word and figures "section 56" in the last line the words "or who is entered on the list as a farmer's daughter," so that the subsection shall now read as follows:

Number of
electors—how
determined. (2) The number of municipal electors shall be determined by the last revised voters' list but in counting the names, the name of the same person shall not be counted more than once, and the name of a person who is a municipal elector by reason of being the

wife

wife or husband of the person so rated or entitled to be rated for land as mentioned in clause *d* of subsection 1 of section 56 or who is entered on the list as a farmer's daughter shall not be counted.

5. Clause *p* of subsection 1 of section 53 of *The Municipal Act* is amended by adding at the end thereof the following words: Rev. Stat., c. 233, s. 53, subs. 1, cl. *p*, amended.

"but this clause shall not apply with respect to any moneys paid or payable to a member of council under the provisions of sections 433, 434, 435 or 436."

6. *The Municipal Act* is amended by adding thereto the following section: Rev. Stat., c. 233, amended.

215a. The council of a county may by by-law provide that a member who in council has an additional vote by virtue of the provisions of subsection 2 of section 45 shall as a member of any committee have an additional vote therein. Voting of county councillors in committee.

7. Subsections 2 and 3 of section 230 and subsections 6 and 7 of section 238 of *The Municipal Act* are repealed. Rev. Stat., c. 233, s. 230, subs. 2, 3, s. 238, subs. 6, 7, repealed.

8. *The Municipal Act* is amended by adding thereto the following section: Rev. Stat., c. 233, amended.

248a.--(1) Every treasurer, deputy treasurer and collector and every other officer of the corporation as the council may require, before entering on the duties of his office shall give annually such security as the council directs for the faithful performance of such duties and for duly accounting for and paying over all money which comes into his hands. Security to be furnished by officers.

(2) The security to be given shall be by the bond, policy or guarantee contract of a guarantee company within the meaning of *The Guarantee Companies Securities Act*, unless the council by resolution authorizes that the security may be given by the bond of a personal surety or sureties. Nature of security. Rev. Stat., c. 230.

(3) It shall be the duty of the council at a meeting held not later than the 15th day of February in every year with respect to those of its officers who continue in office from year to year and at the first meeting after his appointment with respect to any newly appointed officer, to require the production before it of every bond, policy or guarantee contract required under this section. Inspection of surety bonds.

Filing of surety bonds with clerk of the peace, and his duties thereon.

- (4) Forthwith after the production before the council of any bond, policy or guarantee contract required under this section, the clerk shall deposit the same with the clerk of the peace of the county or district in which the municipality is situate whose duty it shall be to keep the same in a place of safe custody and forthwith after receipt of same transmit to the head of the municipality and to the Commissioner of Municipal Affairs a return of all such bonds, policies and guarantee contracts deposited with him under this section, which return shall be in the form prescribed by the said Commissioner and shall set forth the particulars therein provided for, and the clerk of the peace shall also keep a copy of such return in his office.

Premiums.

- (5) The premiums payable in respect of any bond, policy or guarantee contract given under this section shall be payable by the corporation out of its general funds.

Commissioner may suggest additional security, etc.

- (6) The Commissioner of Municipal Affairs may upon examination of any return made to him under this section, inform the council of the municipality to which it relates of any additions to, increases in the amounts of, or other changes in any of the bonds, policies, or guarantee contracts given under this section which he may deem advisable or desirable to be made.

Rev. Stat., c. 233, s. 300, amended.

9. Section 300 of *The Municipal Act* is amended by adding thereto the following subsection:

Hypothecation not a sale under this section.

- (2) For the purposes of this section the hypothecation of debentures under section 332 at any time heretofore or hereafter made shall not constitute a sale or other disposal thereof.

Rev. Stat., c. 233, s. 307, repealed.

10. Section 307 of *The Municipal Act* is repealed and the following substituted therefor:

Yearly estimates and contents.

- 307.—(1) The council of every municipality shall in each year prepare and adopt estimates of all sums required during the year for the purpose of the municipality, including the sums required by law to be provided by the council for school purposes and for any board, commission or other body, and such estimates shall set forth the estimated revenues and expenditures in such detail and according to such form as the Ontario Municipal Board may from time to time prescribe.

- (2) The estimates shall provide due allowance for the cost of collection, abatement of and discount on taxes and uncollectible taxes, and may provide due allowance for taxes which may not be collected during the year. Allowances to be made in estimates.

- (3) One by-law or several by-laws for levying the rates may be passed as the council may deem expedient. Rating by-laws.

- (4) The Ontario Municipal Board may prescribe the form of estimates to be prepared by the council and may from time to time vary the same. Form of estimates.

11. Section 332 of *The Municipal Act* is amended by adding thereto the following subsection: Rev. Stat., c. 233, s. 332, amended.

- (3) Subject to the provisions of subsection 2 the redemption of a debenture heretofore or hereafter hypothecated shall not be deemed to have prevented and shall not prevent the subsequent sale thereof. Hypothecation not to prevent subsequent sale of debentures.

12. Section 334 of *The Municipal Act* is repealed and the following substituted therefor: Rev. Stat., c. 233, s. 334, repealed.

334.—(1) A council may by by-law either before or after the passing of the by-law for imposing the rates for the current year authorize the head and treasurer to borrow such sums as the council may deem necessary to meet until the taxes are collected the current expenditures of the corporation for the year, including the amounts for sinking fund, principal and interest falling due within the year upon any debt of the corporation, school purposes, special rates purposes and for meeting the requirements of any board, commission or body and other purposes for which the corporation is required by law to provide. Current borrowings.

- (2) The amount so borrowed shall not exceed seventy per centum of the total amount of the revenues of the corporation of the preceding year, exclusive of moneys borrowed and of proceeds derived from the sale of debentures in that year. Limit of current borrowing
- (3) The lender shall not be bound to establish the necessity of borrowing the sum lent or to see to its application. Lender not bound by application, etc.
- (4) The council may by by-law authorize the giving as security for any such loan, promissory notes or other forms of agreement of the corporation signed

by the head and treasurer and sealed with the seal of the corporation, and each such note or agreement shall be valid and binding upon the corporation.

Lien upon
revenues.

- (5) The council may by by-law and agreement charge any revenues of the corporation, with repayment of any sum so borrowed, and the lender shall have a lien upon the revenues so charged until the charge is satisfied.

Prior
liens not
defeated.

- (6) Any subsequent charge or lien created under this section shall not defeat or affect and shall be subject to any prior charge or lien then subsisting.

Municipal
Board may
approve of
excess
borrowings.

- (7) Notwithstanding the limitation in borrowing contained in subsection 2, a council may with the approval of the Ontario Municipal Board borrow an amount in excess of seventy per centum of the revenues of the preceding year, exclusive of moneys borrowed and of proceeds derived from the sale of debentures in that year.

Disquali-
fication for
unauthorized
borrowings.

- (8) If the council authorizes the borrowing of any larger sum than is authorized or approved under this section, every member who votes therefor shall be disqualified from holding any municipal office for two years.

Liability
for mis-
application
of revenues
subject to
lien.

- (9) If the council applies any revenues of the corporation charged or subject to a lien under this section otherwise than in discharge thereof, the members who vote for such application shall be personally liable for the amount so applied, which may be recovered in any court of competent jurisdiction.

Liability
of officers.

- (10) If any officer of a corporation applies any revenues of the corporation so charged or subject to lien otherwise than in discharge thereof, he shall be personally liable for the amount so applied, which may be recovered in any court of competent jurisdiction.

Rev. Stat.,
c. 233, s. 343,
subs. 2,
amended.

13. Subsection 2 of section 343 of *The Municipal Act* is amended by inserting at the beginning thereof the words "Subject to the provisions of subsection 6a."

Rev. Stat.,
c. 233, s. 343,
amended.

14. Section 343 of *The Municipal Act* is amended by adding thereto the following subsection:

Application
by corpora-
tion to
Municipal
Board to
further
defer entry.

- (6a) Where it is shown to the satisfaction of the Ontario Municipal Board upon application made by the corporation before the day fixed for entry by the

by-law,

by-law, that in view of financial conditions it is desirable that the day fixed for entry by the by-law should be further deferred, the Ontario Municipal Board may further defer the time for entry by the corporation on the land until a day not less than one year nor more than three years after the day fixed for entry by the by-law, but so that the total time for which entry is deferred by the provisions of the by-law and the order of the Ontario Municipal Board shall not exceed ten years, upon such terms and conditions as the said Board may deem proper, and upon such order being made the day fixed by the Ontario Municipal Board as the day for entry shall thereafter be deemed to be the day fixed in the by-law for entry.

15. *The Municipal Act* is amended by adding thereto the following section: Rev. Stat.,
c. 233,
amended.

367a.—(1) Where any motor vehicle, bicycle or any personal property of any kind whatsoever is in the possession of the Board or a member of the police force by reason of having been stolen from its owner or by reason of having been found abandoned in any public place and the Board is unable to ascertain the owner thereof, the Board may cause the same to be sold or otherwise disposed of as hereinafter set forth and may retain to its own use the proceeds of such sale or disposition. Sale of
stolen and
abandoned
property in
possession
of police.

(2) When such property is perishable the sale or disposition of the same may be made at any time without notice of any kind. When such property is not perishable, the Board may, after the expiration of three months, sell the same by public auction after at least ten days' notice of the time and place of holding such auction has been given by publication once in a newspaper published in the municipality. Any such sale may be adjourned from time to time until the property is sold. Procedure
for sale.

(3) This section shall be subject to the provisions of *The Highway Traffic Act*. Rev. Stat.,
c. 251, not
affected.

16. Subsection 1 of section 397 of *The Municipal Act* as amended by section 26 of *The Municipal Amendment Act, 1931*, is further amended by inserting after the words "financial aid" added by the amendment made in 1931 the words "by way of loan" so that the first paragraph thereof shall now read as follows: Rev. Stat.,
c. 233, s. 397,
subs. 1,
amended.

1. For fixing the assessment of the property of any person carrying on or proposing to carry on within Granting
fixed assess-
ments.

the

the municipality any manufacturing business including iron works, rolling mills, works for refining or smelting ores, grain elevators, a beet sugar factory and a tobacco drier or a cold storage plant receiving financial aid by way of loan from the Department of Agriculture of the Province of Ontario on such terms and conditions as the council may deem proper.

Rev. Stat.,
c. 233, s. 414,
(heading)
amended.

17. The heading of section 414 of *The Municipal Act* is amended by inserting after the word "of" in the first line the words "towns and villages and by the councils of," so that the said heading shall now read as follows:

414. By-laws may be passed by the councils of towns and villages and by the councils of townships bordering on or situate within ten miles of a city having a population of not less than 100,000.

Rev. Stat.,
c. 233, s. 422,
(heading),
amended.

18. - (1) The heading of section 422 of *The Municipal Act* is amended by inserting after the word "towns" in the third line the words "and villages," so that the said heading shall now read as follows:

422. By-laws may be passed by the councils of townships in unorganized territory, all townships bordering on a city having a population of not less than 100,000, of counties and towns and villages, and of cities having a population of less than 100,000, and by the Board of Commissioners of Police of cities having a population of not less than 100,000.

Rev. Stat.,
c. 233, s. 422,
par. 1, cl. f
amended.

(2) Clause *f* of paragraph 1 of said section 422 is amended by adding after the word "town" in the first and fourth lines the word "village."

Rev. Stat.,
c. 233, s.
431a (1928,
c. 37, s. 16),
(heading),
amended.

19. Section 431a of *The Municipal Act* as enacted by section 16 of *The Municipal Amendment Act, 1928*, and amended by section 36 of *The Municipal Amendment Act, 1931*, is further amended by adding to the heading thereof the words "and by councils of cities having a population of less than 100,000," so that the said heading shall now read as follows:

431a. By-laws may be passed by boards of commissioners of police of cities having a population of not less than 100,000 and by councils of townships bordering on a city having a population of not less than 100,000 and by councils of cities having a population of less than 100,000.

Rev. Stat.,
c. 233, s. 433,
repealed.

20. Section 433 of *The Municipal Act* is repealed and the following substituted therefor:

433.—(1) The council of a municipality may pass by-laws for paying the members of the council for their attendance at meetings at the following rates in the case of,—

Remuneration of members of council.

(a) a county and a township having a population of not less than 10,000, at a rate not exceeding \$8 a day for attendance at meetings of the council or of its committees and ten cents for each mile necessarily travelled in going to such meetings;

(b) a city having a population of less than 100,000, a town and a township having a population of less than 10,000, at a rate not exceeding \$5 a day for attendance at meetings of the council, and in the case of such a township ten cents for each mile necessarily travelled in going to such meetings;

(c) a village, at a rate not exceeding \$3 a day for attendance at meetings of the council.

(2) Where under the provisions of section 224 the head of an urban municipality is paid an annual or other remuneration, such head shall not be entitled to payment under this section for attendance at meetings.

Where head receives salary.

21. Section 515 of *The Municipal Act* is amended by adding thereto the following subsection:

Rev. Stat., c. 233, s. 515, amended.

(4) Where a petition has been presented to increase the area of a police village as provided in subsection 1 or 2 hereof and is sufficiently signed and the council of the county does not at its next meeting after the presentation of the petition pass a by-law increasing the area of the said police village, application may be made to the Ontario Municipal Board for an order increasing the area as requested in the said petition and the Board, upon being satisfied that the petition has been duly signed and presented to the council and that the council has failed to act, may make an order increasing the area of the said police village by adding to it any adjoining land as described in the said petition, provided, however, that the addition does not exceed the limitation as set out in subsections 1 and 2, respectively, or include land in another county if the consent of the council of that county has not been obtained.

Power of Municipal Board to increase area on failure of county to act.

22. This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

CHAPTER 30.

The Local Improvement Amendment Act 1932.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Local Improvement Amendment Act, 1932*.

Rev. Stat.,
c. 235,
s. 8,
repealed.

2. Section 8 of *The Local Improvement Act* is repealed and the following substituted therefor:

Construction
of certain
classes of
local
improvement
works to
require
approval of
Municipal
Board before
Council
proceeds.

8.—(1) Where the council determines and by by-law or resolution passed at any meeting by a vote of two-thirds of all the members thereof declares it is desirable that the construction of a curbing, pavement, sidewalk, sewer, watermain or bridge, or the opening, widening, extending, grading, altering the grade of, diverting or improving a street, or the extension of a system of water works, or of private drain connections or water service pipes under the provisions of section 4, should be undertaken as a local improvement, the council may with the approval of the Ontario Municipal Board pass a by-law to undertake the work.

Petition not
requisite.

(2) Where the undertaking of the work is approved by the Ontario Municipal Board no petition required by section 11 shall be necessary and the owners shall not have the right of petition provided by section 12.

Notice of
application
to Board.

(3) Where it is intended to proceed under this section the council shall not be deemed to proceed on the initiative plan but there shall be published at least once a week for two weeks a notice of intention, Form IA, to apply to the Ontario Municipal Board for approval of the work being undertaken and any owner may within twenty-one days after the first

publication

publication of such notice file with the said Board his objection to the work being undertaken.

- (4) The said Board may direct such further or other notice or notices, Form IA, or otherwise, to be given by the council and the said Board may make such order with respect to the work as may seem proper. Further notices on order of Board.
- (5) The work shall not be undertaken until the approval of the said Board to the passing of the by-law therefor has been obtained. Work not to proceed until approval given.
- (6) The notice, Form IA, when published, may relate to and include any number of different works. What Form IA may include.

3. *The Local Improvement Act* is amended by adding thereto the following form: Rev. Stat., c. 235, amended.

FORM IA.

(SECTION 8)

Take notice that,—

1. The Council of the Corporation of the _____ of _____ intends to construct as a local improvement (describe the work) on (or in) _____ street between (describe the points between which the work is to be constructed) and intends to specially assess a part of the cost upon the land abutting directly on the work (in case other land is to be specially assessed, add) and upon the following land which is immediately benefited by the work (describe the land).
2. The estimated cost of the work is \$ _____ of which \$ _____ is to be paid by the Corporation. The estimated cost per foot frontage is \$ _____. The special assessment is to be paid in _____ equal annual instalments and the estimated annual rate per foot frontage is _____ cents.
3. Application will be made by the Corporation to the Ontario Municipal Board for its approval of the undertaking of the said work and any owner may within twenty-one days after the first publication of this notice file with the Board his objection to the said work being undertaken.
4. The said Board may approve of the said work being undertaken, but before doing so it may appoint a

time

time and place when any objections to the said work will be considered.

Dated.

Clerk.

(NOTE.—Where it is intended to assess part of the cost upon non-abutting land, the form of notice is to be amended to show the cost per foot frontage and annual frontage rate to be charged against such lands.)

Rev. Stat.,
c. 235, s. 9,
amended.

4. Section 9 of *The Local Improvement Act* is amended by inserting after the word "watermain" in the sixth line the words "or of private drain connections or water service pipes under the provisions of section 4," so that the section shall now read as follows:

Construction
of sewer
etc., on
recommend-
ation of
Minister
of Health.

9. Where the council, upon the recommendation of the Minister of Health or of the local board of health of the municipality, determines and, by by-law passed at a regular or special meeting of the council by vote of two-thirds of all the members thereof, declares that the construction, enlargement or extension of a sewer or watermain or of private drain connections or water service pipes under the provisions of section 4 as a local improvement is necessary or desirable in the public interest on sanitary grounds, the council may undertake the work without petition, and the owners of the land shall not have the right of petition provided for by section 12.

Rev. Stat.,
c. 235, s. 10,
repealed.

5. Section 10 of *The Local Improvement Act* is repealed and the following substituted therefor:

Notice of
intention
to undertake
work to be
published
by council.

10.—(1) Where it is intended to proceed under section 9 the council shall not be deemed to proceed on the initiative plan, but, before passing the by-law for undertaking the work, shall cause notice of its intention, Form I, to be published. Such notice may relate to and include any number of different works.

Objection
to con-
struction of
work on
two-thirds
vote of
council.

(2) Where the council proceeds with any local improvement under subsection 1, a majority of the owners representing at least one-half the value of the lots which are to be specially assessed therefor, being dissatisfied with such local improvement or with the manner in which it has been undertaken, may by petition apply to the Ontario Municipal Board for relief, and the Board may thereupon investigate the complaint and make such order with respect to the local improvement as may seem proper, and after notice to the clerk of the municipality

of

of the application and pending its determination by the Board, the council shall not proceed with the local improvement work.

- (3) The sufficiency of such petition shall be determined in the manner provided by section 15. Sufficiency of petition.
- (4) Such petition shall be deposited with the secretary of the Ontario Municipal Board within twenty-one days after the publication of notice of the council's intention to undertake the work. Filing of petition.
- (5) The by-law for undertaking the work shall not be passed until the expiry of the said twenty-one days. Time for passing by-law.

6. Section 27a of *The Local Improvement Act* as enacted by section 3 of *The Local Improvement Act, 1928*, and amended by section 1 of *The Local Improvement Act, 1930*, is further amended by adding thereto the following subsection: Rev. Stat., c. 135, s. 27a, (1928, c. 38, s. 3.) amended.

- (3) The court of revision shall have jurisdiction and authority to review and alter any such exemption or reduction when considering the special assessment roll for the work, but shall not increase the corporation's portion of the cost of the work. Court may review and alter exemptions or reductions.

7. Subsection 1 of section 40 of *The Local Improvement Act* is amended by striking out the words "the unfinished work and any unsettled claims for lands taken or injuriously affected by the opening, widening, extending, grading, altering the grade of, diverting or improving a street" in the third, fourth, fifth and sixth lines, and inserting in lieu thereof the words "any unfinished portion of the work and any unsettled claims for lands taken for or injuriously affected by the work," so that the section shall now read as follows: Rev. Stat., c. 235, s. 40, subs. 1, amended.

- 40.—(1) In ascertaining the actual cost of the work under the next preceding section where in the opinion of the engineer and assessment commissioner or treasurer the cost of any unfinished portion of the work and any unsettled claims for lands taken for or injuriously affected by the work will not exceed in amount 25 per centum of the total estimated cost of the work, the engineer and assessment commissioner or treasurer may estimate the cost of such unfinished work, and the amount of all such claims, and the amount may be included in the actual cost to be ascertained and certified under the next preceding section, and shall be deemed to be the correct amount thereof subject to any order made with reference thereto by the court of revision. Estimate of cost of unfinished work and unsettled claims.

8. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 31.

The Assessment Amendment Act, 1932.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The Assessment Amendment Act, 1932.*

Rev. Stat.,
c. 238, s. 121,
(1929,
c. 63, s. 7),
amended. **2.** Section 121 of *The Assessment Act* as re-enacted by section 7 of *The Assessment Amendment Act, 1929*, and amended by subsection 8 of section 3 of *The Assessment Amendment Act, 1930*, is further amended by adding thereto the following subsection:

Application
to Court of
Revision for
refund of
portion of
paid taxes.

(5) An application under clause *a* of subsection 1 may be made in respect of taxes which have been paid, and in such cases the court of revision, subject to the provisions of any by-law, may reject the application or may order that the corporation refund a portion of such taxes, and the corporation may refund the same accordingly.

Commence-
ment of Act. **3.** This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 32.

An Act to amend The Highway Traffic Act.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Highway Traffic Act, 1932*. Short title.
2. Subsection 1 of section 8 of *The Highway Traffic Act* is Rev. Stat., c. 251, s. 8, subs. 1, amended. amended by adding at the end thereof the following words:

“and provided the province of residence grants similar exemptions and privileges with respect to motor vehicles registered under the laws of and owned by residents of Ontario.”

3. Section 9 of *The Highway Traffic Act* as amended by Rev. Stat., c. 251, s. 9, amended. section 2 of *The Highway Traffic Amendment Act, 1928*, section 2 of *The Highway Traffic Amendment Act, 1930 (No. 2)*, and section 4 of *The Highway Traffic Amendment Act, 1931*, is further amended by adding thereto the following subsections:

(1a) Lamps on the front of a motor vehicle shall be so Driving lights. constructed, located, arranged and adjusted that when lighted as required by subsection 1 they produce under normal atmospheric conditions and on a level road a driving light sufficient to render clearly discernible to the operator of the motor vehicle any person or vehicle on the highway within a distance of two hundred feet ahead of such motor vehicle.

(1b) The provisions of subsection 1a shall not apply to a Lighted streets. motor vehicle on a highway which is so lighted by the means of any system of street or highway lighting that under the conditions mentioned in said subsection any person or vehicle within a distance of two hundred feet ahead of such motor vehicle is clearly discernible to the operator thereof.

4. Subsection 2 of section 15 of *The Highway Traffic Act* Rev. Stat., c. 251, s. 15, subs. 2, (1929, c. 68, s. 3, subs. 1), amended. as enacted by subsection 1 of section 3 of *The Highway Traffic*

Amendment

Amendment Act, 1929, is amended by striking out the figures "65" in the last line and inserting in lieu thereof the figures "50."

Rev. Stat.,
c. 251, s. 35,
amended.

5. Section 35 of *The Highway Traffic Act* as amended by section 8 of *The Highway Traffic Amendment Act, 1930 (No. 2)* and by section 10 of *The Highway Traffic Amendment Act, 1931*, is further amended by adding thereto the following subsection:

Headway
for commercial
vehicles.

(10a) The driver or operator of a commercial motor vehicle when driving upon a highway outside of a city, town or village shall not follow within 100 feet of another commercial motor vehicle; but this shall not be construed to prevent one commercial motor vehicle overtaking and passing another such vehicle.

Rev. Stat.,
c. 251, s. 77,
cls. a, b
(1930,
c. 47, s. 6),
repealed.

6. Clauses *a* and *b* of section 77 of *The Highway Traffic Act* as enacted by *The Highway Traffic Amendment Act, 1930* are repealed and the following substituted therefor:

(a) at least \$5,000 (exclusive of interest and costs) for bodily injury to or the death of any one person and, subject to such limit for any one person so injured or killed, at least \$10,000 (exclusive of interest and costs) for bodily injury to or death of two or more persons in any one accident; and

(b) at least \$1,000 (exclusive of interest and costs) for damage to property, except property carried in or upon the motor vehicle, resulting from any one accident.

Rev. Stat.,
c. 251, s. 78,
subs. 1, cl. a
(1920,
c. 47, s. 6),
amended.

7. The second paragraph of clause *a* of subsection 1 of section 78 of *The Highway Traffic Act* as enacted by section 6 of *The Highway Traffic Amendment Act, 1930*, is amended by striking out the words, "Any such certificate or certificates shall cover all motor vehicles then registered in the name of the person furnishing such proof. An additional certificate shall be required as a condition precedent to the registration of any additional motor vehicle in the name of such person," in the first six lines and inserting in lieu thereof the words, "Any such certificate or certificates shall be in the form approved by the Registrar and shall cover all motor vehicles registered in the name of the person furnishing such proof."

Rev. Stat.,
c. 251, s. 80,
(1930,
c. 47, s. 6),
amended.

8. Section 80 of *The Highway Traffic Act* as enacted by section 6 of *The Highway Traffic Amendment Act, 1930*, is amended by striking out the word "was" in the sixth line and inserting in lieu thereof the word "is," and by striking out the words "either at the time of the offence or subsequent thereto" in the eighth and ninth lines.

9. Section 87 of *The Highway Traffic Act* as enacted by section 6 of *The Highway Traffic Amendment Act, 1930*, and amended by section 22 of *The Highway Traffic Amendment Act, 1931*, is repealed and the following substituted therefor:

- 87.—(1) A motor vehicle liability policy referred to in this Part shall be in the form prescribed by *The Insurance Act* for an owner's policy or a driver's policy, as the case may be, and approved thereunder by the Superintendent of Insurance for the purposes of this Part. Form of policy. Rev. Stat., c. 251, s. 87, (1930, c. 47, s. 6), repealed.
- (2) Any insurer which has issued a motor vehicle liability policy shall, as and when the insured may request, deliver to him for filing, or file direct with the Registrar, a certificate for the purposes of this Part. Filing of certificate.
- (3) A certificate filed with the Registrar for the purposes of this Part shall be deemed to be a conclusive admission by the insurer that a policy has been issued in the form prescribed by subsection 1 and in accordance with the terms of the certificate. Certificate conclusive.
- (4) Every insurer shall notify the Registrar of the cancellation or expiry of any motor vehicle liability policy, for which a certificate has been issued to the Registrar under this Part, at least ten days before the effective date of such cancellation or expiry, and, in the absence of such notice of cancellation or expiry, such policy shall remain in full force and effect. Notice of cancellation of insurance.
- (5) Where a person, who is not a resident of Ontario, is a party to an action for damages arising out of a motor vehicle accident in Ontario for which indemnity is provided by a motor vehicle liability policy, the insurer named in the policy shall, as soon as it has knowledge of the action from any source, and whether or not liability under such policy is admitted, notify the Registrar in writing, specifying the date and place of the accident and the names and addresses of the parties to the action and of the insurer, which notification shall be open to inspection by parties to the action. Notice of accidents involving non-residents.
- (6) Notwithstanding anything in this Part contained, the Registrar may decline to accept as proof of financial responsibility the certificates of any insurer which fails to comply with the provisions of subsection 5. Refusal of certificates.

10. This Act, other than sections 6 and 9, shall come into force on the day upon which it receives the Royal Assent. Sections 6 and 9 shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation. Commencement of Act.

CHAPTER 33.

An Act to amend The Liquor Control Act.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The Liquor Control Act, 1932.*

Rev. Stat.,
c. 257, s. 1,
cl. k,
repealed. **2.**—(1) Clause *k* of section 1 of *The Liquor Control Act* is repealed and the following substituted therefor:

"Native wine."
(*k*) "Native wine" shall mean wine manufactured from grapes or cherries grown in Ontario and shall include native wine to which has been added water, honey or sugar and shall also include native wine fortified with the distillate of grapes grown in Ontario.

Rev. Stat.,
c. 257, s. 1,
cl. u,
amended. (2) Clause *u* of the said section 1 is repealed and the following substituted therefor:

"Wine."
(*u*) "Wine" shall mean and include any liquor obtained by the fermentation of the natural sugar contents of fruits, including grapes, apples, or other agricultural products containing sugar, and including honey or milk.

Rev. Stat.,
c. 257, s. 43,
subs. 5,
repealed. **3.** Subsection 5 of section 43 of *The Liquor Control Act* is repealed and the following substituted therefor:

Notifying
vendors,
etc., of
cancellation
of permit.
(5) Where the permit has been cancelled the Board shall notify all vendors and such other persons as may be provided by the regulations, of the cancellation of the permit and the issue of a new permit to the person whose permit has been cancelled shall be in the discretion of the Board.

Rev. Stat.,
c. 257, s. 45,
subs. 1, cl. c,
subs. 2,
numbering
altered. **4.**—(1) Clause *c* in subsection 1 of section 45 of *The Liquor Control Act* is made subsection 2 of the said section and subsection 2 of the said section 45 is made subsection 3 of the said section.

(2) Subsection 1 of the said section 45 is amended by adding thereto the following clause: Rev. Stat., c. 257, s. 45, subs. 1, amended.

- (c) To keep for sale and sell beer to the holder of a Brewers' license. subsisting permit under the supervision and approval of the Board and in accordance with this Act and the regulations.

5. Section 122 of *The Liquor Control Act* is amended by inserting after the word "county" in the sixth line the words Rev. Stat., c. 257, s. 122, amended. "or district" so that the section shall now read as follows:

122. All informations or complaints for the prosecution Information. of any offence against any of the provisions of this Act, shall be laid or made in writing, within three months after the commission of the offence or after the cause of action arose and not afterwards, before any justice of the peace for the county or district in which the offence is alleged to have been committed, and may be made without any oath or affirmation to the truth thereof, and the same may be according to form provided in the regulations or to the like effect.

6.—(1) Subsection 1 of section 139 of *The Liquor Control Act* is amended by striking out the words "a divisional court of the Appellate Division of the Supreme Court of Ontario upon any question touching the validity or invalidity of any Act of this Legislature or of any part thereof, or" in the fourth, fifth, sixth and seventh lines and inserting in lieu thereof the words "the Court of Appeal for Ontario" and by striking out the word "other" in the ninth line so that the subsection shall now read as follows: Rev. Stat., c. 257, s. 139, subs. 1, amended.

- (1) At any time within fifteen days from the date of the judgment or order of any judge of a county or district court arising out of or under section 138 of this Act, the Attorney-General may direct an appeal to the Court of Appeal for Ontario from the judgment or order of a judge of the county or district court in any case arising out of or under the said section in which the Attorney-General of Ontario certifies that he is of opinion that the matters in dispute are of sufficient importance to justify an appeal. Appeal to Court of Appeal.

(2) Clause *b* of subsection 2 of the said section 139 as enacted by section 14 of *The Liquor Control Act, 1929*, is Rev. Stat., c. 257, s. 139, subs. 2, cl. b (1929, c. 69, s. 14), repealed. repealed and the following substituted therefor:

Practice on
appeals.

- (b) Except so far as otherwise provided by this Act the Consolidated Rules of Practice and Procedure of the Supreme Court relating to appeals to the Court of Appeal for Ontario shall apply to appeals under this section.

Rev. Stat.,
c. 257, s. 139,
subs. 4,
amended.

- (3) Subsection 4 of the said section 139 is amended by striking out the words "Divisional Court" in the first line and inserting in lieu thereof the words "Court of Appeal for Ontario," so that the subsection shall now read as follows:

Hearing
and deter-
mination of
appeal.

- (4) The Court of Appeal for Ontario shall thereupon hear and determine the appeal and shall make such order for carrying into effect the judgment of the court as the court shall think fit.

Commence-
ment of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 34.

An Act to amend The Public Health Act.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Public Health Act, 1932.* Short title.
2. Section 5 of *The Public Health Act* is amended by adding thereto the following subsection: Rev. Stat., c. 262, s. 5, amended.
 - (4) Where it appears to the Department to be in the interests of the public health, the Minister may appoint the medical officer of a Government institution a medical officer of health with duties confined to the institution and to the inmates and staff thereof. Medical officer of health,—appointment of.
3. Section 6 of *The Public Health Act* is amended by adding thereto the following clause: Rev. Stat., c. 262, s. 6, amended.
 - (i) the inspection and licensing of plants and premises for the manufacture of non-intoxicating beverages, distilled and mineral water and the manufacture of syrup, wines and brewed beer.
4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 35.

An Act for the Protection of Persons Employed in
Factories, Shops and Office Buildings.*Assented to March 29th, 1932.*

HIS MAJESTY, by and with the advice and consent of
the Legislative Assembly of the Province of Ontario,
enacts as follows:

PART I.

PRELIMINARY.

Short title. **1.** This Act may be cited as *The Factory, Shop and Office Building Act, 1932.*

Interpretation.

Interpre- **2.** In this Act,—
tation.

"Bakeshop."

(a) "Bakeshop" shall mean any building, premises, workshop, structure, room or place wherein is carried on the manufacture or sale of confectionery, or of bread, biscuits, cakes or any other food product made from flour, or from meal or from both, in whole or in part, and shall include any room or rooms used for storing the confectionery, bread, biscuits, cakes and other food products and materials;

"Child."

(b) "Child" shall mean a person under the age of fourteen years;

"Court."

(c) "Court" shall mean the justices of the peace or police magistrate, as the case may be, to whom jurisdiction is given by this Act to hear and determine prosecutions under this Part. R.S.O. 1927, c. 275, s. 1, cls. *a-c*;

"Employer."

(d) "Employer" as applied to a factory, shop, bakeshop or restaurant shall mean any person who in his own behalf, or as the manager, superintendent, overseer or agent has charge of any factory, shop, bakeshop, or restaurant, and employs persons therein, and in the case of an office building shall include the superintendent, manager or caretaker thereof;

(e)

(e) "Factory" shall mean,—

"Factory."

(i) any building, premises, workshop, structure, room or place in which any manufacturing process or assembling in connection with the manufacturing of any goods or products, is carried on;

(ii) any building, workshop, structure, premises, room or place wherein or within the precincts of which steam, water, electrical power or energy or other power is used to move or work any machinery employed in preparing, manufacturing or finishing, or in any process incidental to the preparing, manufacturing or finishing of any article, substance, material, fabric or compound, or is used to aid the manufacturing process carried on there;

(iii) any building, workshop, structure, premises, room or place wherein the employer of the persons working there has the right of access and control, and in which or within the precincts of which any manual labour is exercised by way of trade or for purposes of gain in or incidental to the making of any article or part of any article, the altering, repairing, ornamenting or finishing of any article, or the adapting for sale of any article; R.S.O. 1927, c. 275, s. 1, cls. d, e; *amended*.

(f) "Inspector" shall mean an inspector appointed by the Lieutenant-Governor in Council for enforcing the provisions of this Part and shall include the Chief Inspector; "Inspector."

(g) "Mill-gearing" shall include every shaft, whether upright, oblique or horizontal, and every wheel, drum, pulley or other appliance by which the motion of the first motive power is communicated to any machine appertaining to a manufacturing process; "Mill gearing."

(h) "Minister" shall mean the member of the Executive Council charged for the time being with the administration of this Part; "Minister."

(i) "Office" shall include a building or that part of a building occupied and under the control of a separate employer and used for office purposes; "Office."

(j)

- "Office building." (j) "Office building" shall mean a building used or occupied for office purposes and not as a shop or factory, and shall include a part of a building when so used or occupied; R.S.O. 1927, c. 275, s. 1, cls. *f-j*;
- "Owner." (k) "Owner" shall mean the person for the time being entitled in his own right or as a trustee, mortgagee in possession, guardian, committee, agent or otherwise to receive the rents, issues and profits of any premises used as a factory, shop, bakeshop, restaurant or office building so far as such rents, issues and profits are not payable solely in respect of the use or occupancy of land apart from any buildings or other improvements erected or situate thereon; R.S.O. 1927, c. 275, s. 1, cl. *k*; *amended*.
- "Parent." (l) "Parent" shall mean a parent or guardian of, or a person having the legal custody of, or the control over, or having direct benefit from the wages of a youth or young girl;
- "Regulations." (m) "Regulations" shall mean regulations made by the Lieutenant-Governor in Council under the authority of this Part; R.S.O. 1927, c. 275, s. 1, cls. *l, m*.
- "Restaurant." (n) "Restaurant" shall mean a dining room, cafeteria, cafe, buffet or any place where meals or refreshments are served to order, but shall not include restaurants or dining rooms in connection with licensed or standard hotels, unless operated under separate management; *new*.
- "Shop." (o) "Shop" shall mean any building or a portion of a building, booth, stall or place where goods are handled or exposed or offered for sale, and any such building or portion of a building, booth, stall or place where services are offered for sale or where goods are manufactured and which is not a factory to which this Act applies; R.S.O. 1927, c. 275, s. 1, cl. *n*; *amended*.
- "Woman." (p) "Woman" shall mean a woman of eighteen years of age and upwards;
- "Young girl." (q) "Young girl" shall mean a girl of the age of fourteen and under the age of eighteen years;
- "Youth." (r) "Youth" shall mean a male of the age of fourteen and under the age of sixteen years. R.S.O. 1927, c. 275, s. 1, cls. *p-r*.

Application of Act.

3.—(1) Nothing in this Part shall in any way conflict or interfere with the powers and duties of local boards of health or the officers appointed under *The Public Health Act*. Act not to affect, Rev. Stat., c. 262.

(2) For the purposes of this Part in respect to sanitary measures the Chief Officer of Health or any health officer may act jointly with, or independently of the inspector under this Part. R.S.O. 1927, c. 275, s. 2. Administration.

4. A building, or a part of a building, used and occupied by a municipal or school corporation or by any municipal commission for office purposes shall be deemed an office building within the meaning of this Act, and the municipal or school corporation or commission owning or occupying any such building or part of a building shall be deemed the owner thereof within the meaning of this Act notwithstanding that no rents, issues or profits are derived therefrom. R.S.O. 1927, c. 275, s. 4. "Office building," definition of.

5. Nothing in this Part shall extend to a mechanic, artisan or labourer working only in repairing either the machinery in or any part of a factory, shop, bakeshop, restaurant or office building. R.S.O. 1927, c. 275, s. 5; *amended*. Act not to apply to persons working only at repairs.

6.—(1) A part of a building used as a factory, shop, bakeshop, restaurant or office building may, with the written approval of an inspector for the purposes of this Part be taken to be a separate factory, shop, bakeshop, restaurant or office building. R.S.O. 1927, c. 275, s. 6 (1); *amended*. When separate factory.

(2) A place used as a dwelling or sleeping room only shall not be deemed to form part of a factory, shop, bakeshop, restaurant or office building for the purposes of this Part. Dwelling or sleeping room not part of factory.

(3) Where a place situate within the close or precincts forming a factory is solely used for some purpose other than the manufacturing process or handicraft carried on in the factory such place shall not be deemed to form part of that factory for the purposes of this Part, but shall, if otherwise it would be a factory, be deemed to be a separate factory and be regulated accordingly. When separate and when part

(4) Any premises or place shall not be excluded from the definition of a factory by reason only that such premises or place are or is in the open air. R.S.O. 1927, c. 275, s. 6 (2-4). When premises in open air not excluded.

7.—(1) Every shop, building or room in which one or more persons are employed in doing public laundry work by way of Certain laundries to be deemed factories.

trade or for the purpose of gain shall be deemed a factory to which this Part applies.

Home laundry work excepted.

(2) This section shall not apply to a dwelling in which a female is engaged in doing custom laundry work at her home for a regular family trade. R.S.O. 1927, c. 275, s. 7.

Where not more than five employed and no power.

8.—(1) Except where machinery operated or driven by steam, electric or other motive power is used, this Part shall not apply to any factory where not more than five persons are employed and no power other than manual labour is used for any manufacturing process carried on there. R.S.O. 1927, c. 275, s. 8 (1); *amended*.

Where more than five sometimes employed.

(2) A factory in which in any calendar year more than five persons are employed at any one time shall during that year be deemed a factory unless the inspector is satisfied that less than six persons are usually employed therein.

Members of family at home in shop.

(3) This Part shall not apply to any shop where only members of the employer's own family dwelling in a house to which the shop is attached are employed at home unless machinery is used which is operated by steam, electrical or other power, except hand power. R.S.O. 1927, c. 275, s. 8 (2, 3).

Who to be deemed employed.

9.—(1) Where any owner, occupier or tenant of any premises, building, workshop, structure, room or place who has the right of access thereto and control thereof contracts for work or labour to be done therein by any other person, or lets or hires out any part thereof for that purpose, and such other person engages or employs therein any workman, youth, young girl or woman in or for the carrying out or performing of such work or labour, or any part thereof, every such workman, youth, young girl or woman shall, for all the purposes of this Part, be deemed to be in the service and employment of such owner, occupier or tenant.

Mode of computing numbers employed.

(2) In computing the number of persons employed in any place in order to ascertain if such place is a factory to which this Part applies every such workman, youth, young girl or woman shall be counted. R.S.O. 1927, c. 275, s. 9.

Evidence as to employment.

10.—(1) Every person found in a factory, except at meal times or except while all the machinery of the factory is stopped, or for any other purpose than that of bringing food to the persons employed in the factory, shall, until the contrary is proved, be deemed for the purposes of this Part to have been then employed in the factory. R.S.O. 1927, c. 275, s. 10 (1).

(2) Playgrounds, waiting rooms and other rooms belonging to the factory in which no machinery is used or manufacturing process carried on shall not be taken to be part of the factory for the purposes of this section. R.S.O. 1927, c. 275, s. 10 (2); *amended*. Places not part of factory.

11.—(1) A youth, young girl or woman who works in a factory, whether for wages or not, either in a manufacturing process or handicraft, or in cleaning any part of the factory used for any manufacturing process or handicraft, or in cleaning or oiling any part of the machinery, or in any other kind of work whatsoever incidental to or connected with the manufacturing process or handicraft, or connected with the article made, or otherwise the subject of the manufacturing process or handicraft therein shall, save as is herein otherwise provided, be deemed to be employed in such factory. When a youth, young girl, or woman to be deemed employed.

(2) For the purpose of this section an apprentice shall be deemed to work for hire. R.S.O. 1927, c. 275, s. 11. Apprentices.

12.—(1) In every factory and shop the employer shall keep a register of the youths, young girls and women employed in the factory and shop and of their employment, in the prescribed form, and shall send to the inspector such extracts from any register kept in pursuance of this Part as the inspector from time to time requires for the execution of his duties, and shall permit the inspector at all times to inspect such register. R.S.O. 1927, c. 275, s. 12 (1), *amended*. Register.

(2) For every contravention of this section the employer shall incur a penalty of not less than \$10 nor more than \$30. R.S.O. 1927, c. 275, s. 12 (2). Penalty.

13. Where, in a factory or shop, the owner or hirer of a machine or implement moved by steam, water, electrical power or energy or other power in or about or in connection with which machine or implement any youth, young girl or woman is employed, is some person other than the employer, and such youth, young girl or woman is in the employment and pay of the owner or hirer of such machine or implement he shall, so far as respects any offence against this Part which may be committed in relation to such youth, young girl or woman, be deemed to be the employer. R.S.O. 1927, c. 275, s. 14. Who to be deemed employer in certain cases.

14.—(1) Before erecting any building or altering any existing building which it is intended thereafter to use as a Plans to be submitted to inspector.

factory or, where the building or proposed building is over two storeys in height, as a shop, bakeshop, restaurant, or office building, the owner shall submit the plans of such building or of the proposed alterations to the inspector; and the inspector shall examine the same, and if he finds that the plans provide for the fulfilment of the requirements of this Act as to the construction of factories, shops, bakeshops, restaurants or office buildings, as the case may be, he shall certify his approval thereon, and the owner shall not proceed with the erection or alteration of such building without such approval. R.S.O. 1927, c. 275, s. 15 (1); *amended*.

Plans to be
in duplicate.

(2) Every such plan shall be submitted in duplicate and one duplicate may be certified as provided in the said section and the other shall be retained by the inspector and filed in the Department of Labour. R.S.O. 1927, c. 275, s. 15 (2).

Certificate
of inspection
before
operating
factory.

15.—(1) The owner, proprietor or manager of any factory shall not begin operations until he has received from the inspector a certificate of inspection of the factory and a permit to operate the same.

Penalty.

(2) Any person who contravenes the provisions of this section shall incur the penalties provided for in section 72. R.S.O. 1927, c. 275, s. 16.

Notice to
be sent to
inspector
by person
occupying
factory.

16. Every person shall, within one month after he begins to occupy a factory, transmit to the inspector a notice, containing the name of the factory, the place where it is situate, the address to which he desires his letters to be addressed, the nature of the work, the nature and amount of the motive power therein, and the name of the firm under which the business of the factory is to be carried on, and in default shall incur a penalty of not less than \$10 nor more than \$30. R.S.O. 1927, c. 275, s. 17.

Penalty.

ADMINISTRATION.

Power of
Lieutenant-
Governor
in Council

17. The Lieutenant-Governor in Council may for the purpose of carrying out this Part,—

Appoint-
ment of
inspectors
and Chief
Inspector.

(a) appoint as many inspectors, male or female, as may be deemed necessary, one of whom he may designate as Chief Inspector who shall have the general supervision and direction of the other inspectors and the carrying out of the provisions of this Part;

Regulations
for carry-
ing out
provisions
of Part.

(b) make such regulations for carrying out the provisions of this Part as may be deemed necessary. R.S.O. 1927, c. 275, s. 18.

18.—(1) Every inspector may, in the execution of this Act ^{Powers of inspector.} and for enforcing the regulations,—

- (a) enter, inspect and examine at all reasonable times by ^{Inspection at reasonable time.} day or night any factory, shop, bakeshop, restaurant or office building when he has reasonable cause to believe that any person is employed therein, or any premises when he has reasonable cause to believe that such premises or any part thereof are being used as a factory, shop, bakeshop, restaurant or office building;
- (b) require the production of any register, certificate, ^{Require production of registers, etc.} notice or document required by this Part or the regulations to be kept, and inspect, examine and copy the same;
- (c) take with him a constable into a factory, shop, bakeshop, restaurant or office building in which he has reasonable cause to apprehend any serious obstruction in the execution of his duty, and whenever the inspector requires any constable authorized to act in the locality to accompany him it shall be the duty of the chief constable and every member of the police force in any locality to render the inspector such assistance in carrying out his duties under this Act as he may require, and to put down any resistance, obstruction or hindrance by force if necessary;
- (d) make such examination and enquiry as may be ^{Make examination and enquiry.} necessary to ascertain whether the provisions of this Part are complied with so far as respects the factory, shop, bakeshop, restaurant or office building and the persons employed therein;
- (e) examine either alone or in the presence of any other ^{Examine persons.} persons, as he thinks fit, with respect to matters under this Part, every person whom he finds in a factory, shop, bakeshop, restaurant or office building or whom he has reasonable cause to believe to be, or to have been within the two preceding months, employed in a factory, shop, bakeshop, restaurant, or office building, and require such person to be so examined and to sign a declaration of the truth of the matters respecting which he is so examined;
- (f) for the purpose of any investigation, inquiry or ^{Administer oaths.} examination made by him under the authority of this Part, administer an oath to and summon any person to give evidence;

(g)

Exercise
other
powers.

(g) exercise such other powers as may be necessary for carrying out the provisions of this Part.

Duty of
owner and
employer.

(2) The owner and employer and his or their agents and servants shall furnish all necessary means in his or their power required by the inspector for any entry, inspection, examination, inquiry or the exercise of his powers in relation to such factory, shop, bakeshop, restaurant or office building. R.S.O. 1927, c. 275, s. 19 (1, 2); *amended*.

Obstructing
inspector.

(3) Every person who wilfully delays the inspector in the exercise of any power under this section, or who fails to comply with a requisition or summons of the inspector in pursuance of this section, or to produce any certificate or document which he is required by or in pursuance of this Act to produce, or who conceals or attempts to conceal, or prevents or attempts to prevent a youth, young girl or woman from appearing before or being examined by the inspector shall be deemed to obstruct an inspector in the execution of his duties under this Part. R.S.O. 1927, c. 275, s. 19 (3).

Penalty for
obstructing.

(4) Where the inspector is obstructed in the execution of his duties the person obstructing him shall incur a penalty of not less than \$10 nor more than \$30; and where he is so obstructed in a factory, shop, bakeshop, restaurant or office building the employer shall incur a penalty of not less than \$10 nor more than \$30, or where the offence is committed at night \$100.

Inspector's
duties in
enforcing
provisions
as to steam
plants and
hoisting
plants.

(5) It shall be the duty of the inspectors appointed under this Act to assist with the enforcement of *The Operating Engineers Act* by reporting to the Board of Examiners any violation thereof, and to furnish to the Board such information as they may have as to the conduct and capability of any person holding or applying for a certificate. R.S.O. 1927, c. 275, s. 19 (4, 5); *amended*.

Inspector's
duties as to
enforcement
of "Mini-
mum Wage
Act."
Rev. Stat.,
c. 277.

(6) It shall be the duty of every inspector appointed under this Act to report any violation of section 20 of *The Minimum Wage Act* to the Minimum Wage Board. R.S.O. 1927, c. 275, s. 19 (6).

Certificate
of appoint-
ment.

19. Every inspector shall be furnished with a certificate of his appointment under the hand and seal of the Minister and on applying for admission to any premises shall, if required, produce such certificate. R.S.O. 1927, c. 275, s. 20.

Production.

Inspector
may take
medical
practitioner,
etc., into
factory.

20. The inspector, whenever he deems it necessary, may take with him into any premises a legally qualified medical practitioner, medical officer of health or sanitary inspector. R.S.O. 1927, c. 275, s. 21.

21.—(1) The inspector, before entering, in pursuance of the powers conferred by this Part without the consent of the occupier, any room or place actually used as a dwelling, shall obtain such warrant as is hereinafter mentioned from a justice of the peace.

Warrant for entering dwelling without consent of occupier.

(2) The justice, if satisfied by information on oath that there is reasonable cause to suppose that any provision of this Part is contravened in any such room or place, shall grant a warrant under his hand authorizing the inspector named therein, at any time not exceeding one month from the date thereof, to enter the room or place named in the warrant and exercise therein the powers of inspection and examination conferred by this Act; and the provisions of this Part with respect to obstruction of the inspector shall apply. R.S.O. 1927, c. 275, s. 22.

Issue of warrant.

22. Where an inspector is called as a witness he may, by the direction and on behalf of the Attorney-General or of a member of the Executive Council, object to giving evidence as to any premises inspected by him in the course of his duty. R.S.O. 1927, c. 275, s. 23.

When inspector may object to give evidence.

23.—(1) There shall be affixed by the inspector at the entrance of a factory and in such other convenient parts of every factory, shop, bakeshop, restaurant and office building as the inspector directs, and it shall be the duty of the employer to see that all such notices are constantly kept so affixed in the form directed by the inspector and in such position as to be easily read by the persons employed,—

Notice to be affixed in factory.

- (a) such notices of the provisions of this Part and of any regulations made thereunder as the inspector deems necessary to enable the persons employed to become acquainted with their rights, liabilities and duties under this Part; Of provisions of Part and regulations.
- (b) a notice of the name and address of the inspector; Name and address of inspector.
- (c) in the case of a factory a notice of the clock, if any, by which the period of employment and times for meals in the factory are regulated; Clock by which period of employment is regulated.
- (d) every other notice and document required by this Part to be so affixed. R.S.O. 1927, c. 275, s. 24 (1); *amended.* Other notices.

(2) In the event of a contravention of any provision or requirement of this section the employer shall incur a penalty not exceeding \$20; and any person who pulls down, alters or

Penalty.

defaces any such notice shall incur a like penalty. R.S.O. 1927, c. 275, s. 24 (2).

Notices, etc.,
and mode
of service.

24.—(1) Any notice, order, requisition, summons or document required or authorized to be served or sent for the purposes of this Part may be served or sent by delivering the same to or at the residence of the person on or to whom it is to be served or sent, or where that person is an employer, by delivering the same, or a true copy thereof, to his agent or to some person in the factory, shop, bakeshop, restaurant or office building of which he is employer.

By mailing.

(2) Such notice, order, requisition, summons or document may also be served or sent by post, and if so served or sent shall be deemed to have been served and received respectively at the time when the letter containing the same would be delivered in the ordinary course of post, and in proving such service or sending it shall be sufficient to prove that it was properly addressed and mailed; and where it is required to be served on or sent to an employer it shall be deemed to be properly addressed if addressed to the factory, shop, bakeshop, restaurant or office building in respect of which he is employer, with the addition of the proper postal address, but without naming the employer. R.S.O. 1927, c. 275, s. 25; *amended*.

EMPLOYMENT.

Children, Youths, Young Girls and Women.

Employment
of children.

25. No child shall be employed in a factory, shop, bakeshop, restaurant or office building. *New*.

Prohibiting
employment
of young
girls and
youths.

26. The Lieutenant-Governor in Council may by proclamation prohibit the employment of young girls and youths in factories the work in which he deems dangerous or unwholesome. R.S.O. 1927, c. 275, s. 27.

Employ-
ment of
adolescents.

27. No person under sixteen years of age shall be employed in any factory, shop, bakeshop, restaurant or office during school hours unless such person shall have furnished to the employer a certificate issued in accordance with the provision of *The Adolescent School Attendance Act* permitting the absence of such person from school, and such certificate shall be kept on file by the employer and produced whenever called for by the inspector. 1929, c. 72, s. 4; *amended*.

Rev. Stat.,
c. 333.

Seats to be
provided
for female
employees
in shops.

28.—(1) In all rooms of any shop in which young girls or women are employed the employer shall at all times provide and keep therein a sufficient number of chairs or seats suitably

placed

placed for the use of every such young girl or woman, and shall permit her to use such chairs or seats when not necessarily engaged in the work or duty for which she is employed; and the employer shall not by any open or covert threat, rule or other intimation, expressed or implied, or by any contrivance, prevent any female employee from using such chairs or seats.

(2) Where in the opinion of the inspector the whole or a substantial portion of the work upon which female employees are engaged in any department of a factory or office in which women or young girls are employed can be efficiently performed while such female employees are seated, the employer shall provide such chairs or seats as may be directed in writing by the Chief Inspector.

Supplying seats for female employees in factories and offices.

(3) Any person who contravenes any of the provisions of this section shall incur a penalty of not less than \$10 nor more than \$25. R.S.O. 1927, c. 275, s. 29.

Penalty.

29.—(1) No Chinese person shall employ in any capacity or have under his direction or control any female white person in any factory, restaurant or laundry.

Employment of women by Chinese.

(2) Subsection 1 shall not come into force until a day to be named by the Lieutenant-Governor by his proclamation.

Commencement of section.

Hours of Employment.

30. Except as provided in sections 31, 32 and 33, in a factory, shop, bakeshop, or restaurant

Generally.

(a) no youth, young girl or woman shall be employed for more than ten hours in one day; nor shall any such person be so employed for more than sixty hours in any one week;

Total length daily.

And weekly.

(b) the hours of labour for any such person in any one day shall not be earlier than seven o'clock in the forenoon or later than half-past six o'clock in the afternoon in a factory or eleven o'clock in the afternoon in a shop or restaurant unless a special permit in writing is obtained from the inspector;

Hours of labour.

(c) no youth, young girl or woman who has been previously on any day employed in any factory, shop or restaurant for the number of hours permitted by this Part shall, to the knowledge of the employer, be employed on the same day in any other factory, shop or restaurant, and no such person who has been

Employment in two different places.

so employed in a factory, shop or restaurant for less than such number of hours shall be employed in any other factory, shop or restaurant on the same day for a longer period than will complete such number of hours;

Time
for meals.

- (d) the employer shall allow every youth, young girl or woman not less than one hour at noon of each day for meals, and such hour shall not be counted as part of the time herein limited for the employment of any such person. R.S.O. 1927, c. 275, s. 31; *amended*.

Hours of
employment
from
December
14th to 24th.

31. A youth, young girl or woman may be employed in a shop between the hours of seven o'clock in the morning and ten o'clock in the afternoon on Saturday and the day next before a statutory holiday, and during the period from the 14th day of December to the 24th day of December, both inclusive, in each year, but the hours shall not exceed ten hours in any one day nor sixty hours in any one week. R.S.O. 1927, c. 275, s. 32; *amended*.

Exemption
by inspector.

32.—(1) Subject to the regulations, where

Accidents
to motive
power.

- (a) any accident which prevents the working of a factory happens to the motive power; or

Machinery
unworkable.

- (b) from any other occurrence beyond the control of the employer the machinery, or any part of the machinery, of any factory cannot be regularly worked; or

Customs or
exigencies
of trade.

- (c) the customs or exigencies of trade require that the youths, young girls or women working in a factory, or in certain processes in a factory, shall be employed for longer than the prescribed period,

the inspector may, on proof to his satisfaction of such accident, occurrence, custom, or exigency of trade, give permission in writing for such exemption from the observance of the foregoing provisions as will, in his judgment, fairly and equitably to the employers of, and to the youths, young girls and women in such factory, make up for any loss of labour from such accident or occurrence or meet the requirements of such custom or exigency of trade.

Hours of
employment
during
period of
exemption.
Not before
6 a.m. and
after 9 p.m.

(2) If the inspector permits such exemption,—

- (a) no youth, young girl or woman shall be employed before the hour of six o'clock in the morning nor after the hour of nine o'clock in the afternoon;

(b)

- (b) the hours of labour for youths, young girls and women shall not be more than twelve and one-half in any one day nor more than seventy-two and one-half in any one week; Not more than 12½ hours a day or 72½ a week.
- (c) such exemption shall not comprise more than thirty-six days in the whole in any twelve months; and in reckoning such period of thirty-six days every day on which the youth, young girl or woman has been employed overtime shall be taken into account; Period of exemption.
- (d) during the continuance of such exemption, in addition to the hour for the noonday meal, there shall be allowed to every youth, young girl or woman so employed in the factory on any day to an hour later than seven of the clock in the afternoon not less than forty-five minutes for another meal between five and eight of the clock in the afternoon; and Time for additional meal during period of exemption.
- (e) in every factory with respect to which any such permission for exemption is given there shall, in compliance with the provisions of section 23, be affixed a notice specifying the extent and particulars of such exemption. R.S.O. 1927, c. 275, s. 33. Notice of particulars of exemption.

33.—(1) Notwithstanding anything herein contained, the Chief Inspector may grant a permit authorizing the operation of a factory by a double shift but the hours of labour shall not exceed eight hours for each shift nor be more than sixteen hours for both shifts and such double shift shall be between the hours of six o'clock in the forenoon and eleven o'clock in the afternoon. Double shift.

(2) Where an employer operates a double shift, every youth, young girl and woman shall be allowed not less than one hour for a noon-day meal or evening meal as the case may be, and the time for the noon-day meal shall be between ten o'clock in the forenoon and twelve o'clock noon and for the evening meal between six o'clock and eight o'clock in the afternoon. Time for meal.
New.

34. In all cases where any youth, young girl or woman works beyond the number of hours in any one day or in any one week as provided in this Act, and whether the inspector under this Act has permitted exemption or not, such youth, young girl or woman shall be entitled to be paid wages for such overtime, and the Minimum Wage Board of Ontario shall have the right to establish a rate of wage for all such overtime worked in any one day or in any one week. 1929, c. 72, s. 6; *amended.* Payment for overtime.

Notice of hours of employment to be affixed in factory.

35. Notice of the hours between which youths, young girls or women may be employed in a factory shall be in such form as may be prescribed by the regulations, and shall be signed by the inspector and by the employer, and shall be posted up during the period covered by such notice in such conspicuous place or places in the factory as the inspector requires. R.S.O. 1927, c. 275, s. 35; *amended*.

Meals on Premises.

Taking meals where manufacturing going on.

36. In a factory or shop in which any youth, young girl or woman is employed,—

(a) if the inspector so directs in writing the employer shall not allow any such person to take meals in any room in which any manufacturing process is then being carried on;

Providing dining and eating rooms.

(b) after being directed by the inspector in writing so to do the employer shall, at his own expense, provide a suitable room or place in the factory or shop or in connection therewith for the purposes of a dining and eating room for persons employed in the factory or shop, no part of the expense of which shall be payable by or chargeable to the wages of the employees;

Food not to be taken in room where poisonous substances exposed.

(c) no person shall take or be allowed to take food into any room where paint, varnish, dye, white lead, arsenic or any other poisonous substance is exposed, or where deleterious fumes, dust or gases are known to be present, and drinking water in any such room shall be taken directly from taps or suitably closed receptacles. R.S.O. 1927, c. 275, s. 36; *amended*.

Unlawful employment in contravention of ss. 28 to 32.

37. Where a youth, young girl or woman is employed in a factory, shop or restaurant in which there is a contravention of any of the provisions of sections 28 to 32, or of any regulation made under section 32, such youth, young girl or woman shall be deemed to be unlawfully employed and so that his or her health is likely to be injured. R.S.O. 1927, c. 275, s. 37; 1929, c. 72, s. 7; *amended*.

Camp.

38.—(1) In this section “camp” shall mean shelter provided for the lodging of six or more persons employed in gainful occupation for a temporary purpose and for a period not exceeding six months. R.S.O. 1927, c. 275, s. 38 (1).

Authority to employ women,—how granted.

(2) No person shall contract for the employment of, or employ women or girls in any occupation who during their employment lodge in a camp, unless and until a permit has

been obtained from the Chief Inspector authorizing such employment.

(3) Every such permit shall be conditional upon compliance with the regulations made under the authority of this section, and the Chief Inspector may cancel or suspend any permit issued by him under subsection 2 for non-compliance with any such regulation. R.S.O. 1927, c. 275, s. 38 (2, 3); *amended*. Condition of permit.

(4) The Lieutenant-Governor in Council may make Regulations. regulations respecting,—

- (a) the sanitary and other conditions to be observed in a camp;
- (b) the season during which employment in a camp may be permitted and the hours of labour of women and girls;
- (c) the proper supervision of a camp, including physical and moral protection for women and girls employed therein and the appointment and duties of a suitable matron and female superintendent in a camp;
- (d) the location, drainage and arrangement of a camp, the materials to be used and the class of buildings or other shelter to be provided;
- (e) the provision of a healthful and suitable supply of food and pure water and the conditions under which the same shall be prepared and served;
- (f) washing facilities and bedding and flooring to be provided in such camps.

(5) Every person who employs women or girls in a camp without the permit required by subsection 2 or who refuses or neglects to comply with any regulation made under the authority of this section, shall incur a penalty of not less than \$25 nor more than \$100, and in default of payment of the same shall be liable to imprisonment for a period of not more than twelve months. R.S.O. 1927, c. 275, s. 38 (4, 5). Penalty.

HEALTH AND SAFETY.

Sanitary Regulations.

39.—(1) The employer in every factory, shop, bakeshop, restaurant or office building shall, during working hours, keep the factory, shop, bakeshop, restaurant or office building, Lighting buildings.

including

including all passages and sanitary conveniences used in connection therewith and under his control, properly lighted and heated so as not to be injurious to the health, safety and comfort of the employees, and the owner of every building used as a factory, shop, bakeshop, restaurant, or office building, shall at all times keep the same or such parts thereof as are under his control or are used in common by the tenants or occupants of the building, properly lighted and heated so as not to be injurious to the health, safety or comfort of persons employed in the building or using or having access to the same. R.S.O. 1927, c. 275, s. 39 (1); *amended*.

Penalty.

(2) Every owner or employer who for thirty days or for such extended period as the inspector allows, refuses or neglects to comply with the requirements of this section after being notified in writing with regard to the same by the inspector, shall incur a penalty of not less than \$20 and not exceeding \$200, and in default of payment shall be liable to imprisonment for a period of not more than twelve months. R.S.O. 1927, c. 275, s. 39 (2); *amended*.

Dressing
rooms and
eating rooms
for females.

40.—(1) Where not less than thirty-five females are employed in a factory or shop, the employer shall provide suitable dressing-rooms and eating rooms for the female employees and shall employ a suitable person as matron or attendant to have charge of such dressing rooms and eating rooms.

Exemptions.

(2) Subsection 1 shall not apply to any case where, owing to the nature of the occupation or for other reasons, the Chief Inspector dispenses with compliance therewith in writing signed by him.

Effect of non-compliance.

(3) Every factory or shop in which the employer neglects to comply with the provisions of this section after notice in writing from the inspector shall be deemed to be kept so that the health of the employees is endangered. R.S.O. 1927, c. 275, s. 40.

Conveni-
ences for
employees.

41.—(1) The owner of every building used as a factory, shop, bakeshop, restaurant, or office building shall

Providing
privies and
water-
closets.

(a) provide a sufficient number and description of privies, earth or water-closets and urinals for employees of such factory, shop, bakeshop, restaurant or office building, including separate sets for the use of male and female employees with separate approaches thereto, one closet and one urinal for every twenty-five males and one closet for every fifteen females employed in the factory, shop,

bakeshop,

bakeshop, restaurant or office building and shall keep at the entrance to such closet a clearly painted sign indicating for which sex the closets are provided;

- (b) be responsible for the remedying of any effluvia arising from any drain or defective plumbing and for any repairs required to keep the building in a safe and habitable condition;

Remedy-
ing cause of
effluvia.

- (c) arrange for a supply of pure drinking water available for each occupier. R.S.O. 1927, c. 275, s. 41 (1); *amended.*

Supplying
drinking
water.

(2) The Lieutenant-Governor in Council may prescribe such additional regulations with respect to such conveniences as may be deemed proper. R.S.O. 1927, c. 275, s. 41 (2).

Regulations.

(3) The owner of every factory, shop, bakeshop, restaurant or office building who for thirty days, or such extended period as the inspector in writing allows, refuses or neglects to comply with the requirements of subsection 1 or of the regulations after being notified in writing in regard to the same by the inspector, shall incur a penalty of not less than \$20 nor more than \$200 and in default of payment shall be liable to imprisonment for any period of not more than twelve months. R.S.O. 1927, c. 275, s. 41 (3); *amended.*

Contra-
vention.

Penalty.

42. A factory, shop, bakeshop, restaurant or office building in which a contravention of the regulations made by the Hydro-Electric Power Commission of Ontario under *The Power Commission Act* occurs shall be deemed to be kept so that the safety of the persons employed therein is endangered. R.S.O. 1927, c. 275, s. 42.

Contra-
vention of
regulations
of Hydro-
Electric
Power Com-
mission.

Rev. Stat.,
c. 57.

43.—(1) The employer of every factory, shop or restaurant shall,—

Sanitary
regulations
in factory,
shop or
restaurant.

- (a) keep it in a clean and sanitary condition and free from any effluvia arising from refuse of any kind;

Effluvia
from refuse.

- (b) keep privies, earth or water-closets and urinals in good repair and in a sanitary condition, and keep closets separated for male and female employees and provide conveniences to the satisfaction of the inspector for the employees using them;

Privies
and water-
closets.

- (c) heat the premises throughout and regulate the temperature so as to be suitable for the work to be performed therein, and not to be injurious to the health or comfort of the employees; but in no case

Tem-
perature.

shall

shall the temperature be less than sixty-eight degrees Fahrenheit unless authorized by the inspector in writing;

Ventilation.

- (d) ventilate the factory, shop or restaurant in such a manner as to keep the air reasonably pure and so as to render harmless, as far as reasonably practicable, all gases, vapours, dust or other impurities generated in the course of any manufacturing process or handicraft carried on therein that may be injurious to health. R.S.O. 1927, c. 275, s. 43 (1), cls. *a, d*; *amended*;

Over-crowding.

- (e) not allow overcrowding while work is carried on therein so as to be injurious to the health of the persons employed therein, the standard to be allowed being three hundred cubic feet of room space for each employee;

Wash-rooms, drinking cups, etc.

- (f) provide a wash room, clean towels, soap and a sufficient supply of wholesome drinking water and proper drinking cups for employees, and water taps which shall be at least eight feet distant from any water closet or urinal, and also, in the case of a foundry, shower baths for the employees; and

Damp floors.

- (g) if the manufacturing process carried on in any part of the premises renders the floor liable to be wet to such an extent that the health of any person employed therein is likely to be endangered, see that adequate means are provided for the proper draining of such floors. R.S.O. 1927, c. 275, s. 43 (1) cls. *e, g*.

Spitoons.

- (2) The inspector may require the employer of any factory or shop to provide a sufficient number of spitoons and place the same in different parts of the premises and keep the same clean.

Dust.

- (3) In every factory or shop where any process is carried on by which dust is generated and is inhaled by the workers to an injurious extent, then subject to the regulations, the inspector may, if such inhalation can by mechanical means be prevented or partially prevented, direct that such means shall be provided within a reasonable time by the employer who shall be bound so to provide them.

Grinding, polishing or buffing.

- (4) Where grinding, polishing or buffing is carried on in any factory or shop subsection 3 shall apply irrespective of the number of persons employed therein. R.S.O. 1927, c. 275, s. 43 (2-4).

(5) No employer shall knowingly permit or suffer any person to work in a factory or shop in which food or food products or materials are manufactured, stored or kept for sale or sold or in a restaurant, who is affected with pulmonary tuberculosis or with scrofula, or with any venereal disease or with any communicable skin disease, and every employer shall keep himself and his employees in a reasonably healthy condition. R.S.O. 1927, c. 275, s. 43 (5); *amended*.

Employment of persons affected with disease.

(6) The employer of a factory, shop or restaurant who for thirty days refuses or neglects to comply with the requirements of this section or with the regulations after being notified in writing in regard to the same by the inspector, shall incur a penalty of not less than \$20 nor more than \$200 and in default of payment shall be liable to imprisonment for a period of not more than twelve months. R.S.O. 1927, c. 275, s. 43 (6); *amended*.

Contra-vention.

(7) The Lieutenant-Governor in Council may make regulations for the more effectual carrying out of the provisions of this section. R.S.O. 1927, c. 275, s. 43, (7).

Regulations as to sanitary regulations.

44.—(1) Every employer of an office shall

Sanitary regulations.

- (a) see that the office is kept in a clean and sanitary condition and properly ventilated, heated and lighted so as not to be injurious to the health or comfort of the persons employed therein;
- (b) not allow overcrowding so as to be injurious to the health of the persons employed therein;
- (c) provide a supply of clean towels, soap and a sufficient supply of wholesome drinking water and proper drinking cups for the persons employed therein.

Office to be kept clean and sanitary.

No overcrowding.

Towels, soap, drinking water and cups.

(2) Where in an office building the privies, closets or urinals or other conveniences are not situate in that part of the building occupied by and under the control of an employer it shall be the duty of the owner, and where such conveniences are situate in that part of the building occupied by and under the control of a separate employer, it shall be the duty of such employer to keep the same in good repair and in a sanitary condition.

Office building.

Con-veniences.

(3) The owner of every office building shall at all times keep the same or such parts thereof as are used in common by the tenants or occupants thereof and are under his control, in a clean and sanitary condition and so as not to be injurious to the health of persons employed in the building or using or having access to the same. R.S.O. 1927, c. 275, s. 44 (1-3).

Clean and sanitary condition.

Penalty.

(4) Every owner or employer who, for thirty days or for such extended period as the inspector allows, refuses or neglects to comply with the requirements of this section after being notified in writing in regard to the same by the inspector shall incur a penalty of not less than \$20 nor more than \$200 and in default of payment shall be liable to imprisonment for any period of not more than twelve months. R.S.O. 1927, c. 275, s. 44 (4); *amended*.

Recovery by owner from tenant of expenditures.

45. Where an owner is required by or under the provisions of this Act to do anything which as between him and his tenant it is not his but the tenant's duty to do, he shall be entitled to recover from the tenant the amount of any expenditure incurred in doing it. R.S.O. 1927, c. 275, s. 45.

Restrictions as to sleeping place.

46. Without the written consent of the inspector no part of a factory shall be kept or used as a bedroom or sleeping place. R.S.O. 1927, c. 275, s. 47.

Exception as to laundries.

47. The provisions of section 46 shall not apply to a laundry in which not more than five persons are employed. R.S.O. 1927, c. 275, s. 48.

Laundry work not to be done in sleeping or living room.

48. No public laundry work shall be done in a room used for a sleeping or living room or in a room used for cooking or preparing meals. R.S.O. 1927, c. 275, s. 49.

Certain laundresses excepted.

49. The provisions of section 48 shall not apply to a female engaged in doing custom laundry work at her home for a regular family trade. R.S.O. 1927, c. 275, s. 50.

Restrictions as to stables.

50. A stable or garage shall not be kept or used under the same roof as a factory or bakeshop unless there is between the stable or garage and the factory or bakeshop a sufficient brick or other partition wall approved by the inspector separating the one from the other. R.S.O. 1927, c. 275, s. 51; *amended*.

Clothing Manufacturers.

Register of name and address of persons to whom work or material given.

51.—(1) Every person contracting for the manufacture of any garment, article of clothing, wearing apparel or any household article or any part thereof, or giving out the same to be wholly or partially altered or improved, or giving out for manufacture, alteration or improvement material from which the same are to be made up or completed, shall keep a written register of the name and address serially numbered of every person so contracted with or to whom any such garment, article or material is so given out, and of the places where the work is to be done. R.S.O. 1927, c. 275, s. 52 (1); *amended*.

(2) The register shall at all times be open to inspection by the inspector, and the person required to keep it shall furnish a copy of the register to the inspector whenever demanded by him. R.S.O. 1927, c. 275, s. 52 (2). Copy to inspector if required.

(3) In a city having a population of 50,000 or over,—

(a) no person shall receive for manufacture, alteration or improvement, any garment, article of clothing, wearing apparel, or household article, or any part thereof or material from which the same are to be made up or completed, until he has obtained a permit from the inspector as hereinafter provided; Taking in goods for making up—permit required.

(b) no person shall let out for manufacture, alteration or improvement, any such garment, article of clothing, wearing apparel or household article or any part thereof, or material from which the same are to be made up or completed, until he has ascertained that the person to whom the same is to be let out has received such permit. R.S.O. 1927, c. 275, s. 52 (3); *amended*. Goods to be let out only to permit holders.

(4) No person shall knowingly sell or expose for sale any of the garments or articles mentioned in this section and made in any dwelling house, tenement house or building forming part of or in the rear of a tenement or dwelling house without a permit from the inspector stating that the place of manufacture is thoroughly clean and otherwise in a good sanitary condition. Permission to sell by the inspector.

(5) Such permit shall state the maximum number of persons allowed to be employed upon the premises and shall not be granted until an inspection thereof has been made by the inspector; and the permit may be revoked by the inspector at any time if, in his opinion, the protection of the health of the community or of those so employed upon the premises renders such revocation desirable. Permit to state maximum number employed, and may be revoked.

(6) When any such garment or article is found by the inspector to be made under unclean or unhealthy conditions, or upon any premises not entered on the register, he shall seize and impound the same and affix thereto a label bearing the words "unsanitary" printed on a tag not less than four inches in length; and shall immediately notify the local board of health whose duty it shall be to disinfect it and thereupon remove such label. Articles in unclean or unhealthy condition to be impounded.

(7) The owner of any such garment or article shall be entitled after it has been disinfected to have the same returned Articles to be returned after being disinfected.

to him upon first paying the expense of such seizure and disinfection.

Inspector to report unclean or unhealthy conditions to local board of health.

(8) If the inspector finds evidence of unclean or unhealthy conditions, or infectious or contagious disease present in any workshop or in any tenement or dwelling where any of the garments or articles hereinbefore mentioned are made, altered or improved, or in any goods manufactured or in process of manufacture on such premises, he shall forthwith report the facts to the local board of health which shall forthwith make such order as the public health may require, or may condemn and destroy all such garments or articles, or any garment or article made, altered or improved or in process of manufacture under unclean or unsanitary conditions. R.S.O. 1927, c. 275, s. 52 (4-8).

Female Employees—Mode of Wearing Hair.

Female employees—regulations as to mode of wearing hair

52.—(1) Young girls and women in a factory shall, during working hours, wear their hair rolled or plaited and fastened securely to their heads or confined in a close-fitting cap or net so as to avoid contact with machinery, shafting or belting or with the material being handled.

Notification.

(2) The manager, superintendent, foreman or other person in charge shall see that employees are fully notified of the provisions of this section. R.S.O. 1927, c. 275, s. 53.

Machinery in Motion.

Cleaning:—Youth, young girl or woman.

53.—(1) A youth, young girl or woman shall not be allowed to clean any part of the machinery in a factory which is mill-gearing while the same is in motion. R.S.O. 1927, c. 275, s. 54 (1), *amended*.

Working,—young girl.

(2) A young girl shall not be allowed to work between the fixed and traversing part of any self-acting machine while the machine is in motion.

Penalty.

(3) A youth, young girl or woman allowed to clean or work in contravention of this section shall be deemed to be employed contrary to the provisions of this Part. R.S.O. 1927, c. 275, s. 54 (2-4).

Guarding Machinery, Etc.

Pro-tection from machinery, etc.

54. Whenever the inspector deems that any machinery, appliance, matter, or thing in a factory is a source of danger to the health or safety of the employees or of persons having access to the factory, he shall give notice in writing to the employer, requiring him to take such measures for guarding

such

such machinery, appliance matter or thing, or protecting the safety or health of employees and other persons against danger therefrom, as the inspector may think requisite and a factory in which the employer neglects to comply with any such notice within the time specified therein, shall be deemed to be kept so that the safety of the persons employed therein is endangered. R.S.O. 1927, c. 275, s. 55.

Effect of non compliance.

55.—(1) In every factory

- (a) all mill-gearing, vats, pans, cauldrons, reservoirs, wheel races, flumes, water-channels, openings and doors opening in the floors or walls, bridges and dangerous machinery, shafting, or belting, and all other dangerous structures and places shall be as far as practicable securely fenced or guarded; Guarding dangerous places.
- (b) no machinery other than steam engines shall be cleaned while in motion if the inspector gives written notice to the employer to that effect; Cleaning machinery.
- (c) any matter or thing which the Lieutenant-Governor in Council by regulation requires to be fenced or guarded shall be securely and safely guarded; Matters or things required by the regulations to be guarded.
- (d) any other matter or thing which the inspector considers dangerous, and in regard to which he gives notice in writing to that effect to the employer, shall likewise be securely fenced or guarded to the satisfaction of the inspector. Notice by inspector.

(2) The Lieutenant-Governor in Council may make regulations prescribing the manner in which any of the matters or things mentioned in subsection 1 shall be fenced or guarded, and the class of fence or guard to be used on any such machinery or about any such structure or place in any factory or class of factories, and for such further precautions to be taken with respect to the matters mentioned in subsection 1 as he may deem necessary for preventing loss of life or personal injury. Regulations.

(3) A factory in which a contravention of this section or of the regulations made thereunder occurs shall be deemed to be kept so that the safety of the persons employed therein is endangered. R.S.O. 1927, c. 275, s. 56. Contra-vention.

56.—(1) Where coal oil, petroleum, benzine, naphtha, gasoline or explosives of any kind or any combustible or inflammable material are kept or stored in a factory or shop they shall be kept stored when not in actual use in a building Storage of coal oil, etc.

separate from the other parts of the factory or shop, or in a fireproof compartment of the factory or shop which shall be approved of by the inspector.

Other inflammable material and maximum dealt with by regulations.

(2) The Lieutenant-Governor in Council may add to the articles mentioned in subsection 1 any inflammable or combustible material to which he deems it expedient that the provisions of subsection 1 should apply, and he may also prescribe the maximum quantity of any of the articles mentioned in subsection 1 or in the regulations which may at any time be in actual use in the factory or shop.

Contravention.

(3) A factory or shop in which a contravention of this section or of any regulations made thereunder occurs shall be deemed to be kept so that the safety of the persons employed therein is endangered. R.S.O. 1927, c. 275, s. 57.

Regulations re benzol, etc.

57.—(1) Regulations may be made by the Lieutenant-Governor in Council for the protection of persons engaged in any industrial process involving the use or manufacture of benzol, or of any other poisons, or of their preparations or compounds:

- (a) prescribing the conditions under which such poisons may be used or manufactured and the labelling of the containers;
- (b) respecting the posting of printed forms setting forth the dangers and safety precautions;
- (c) requiring manufacturers, distributors and others to provide accurate information regarding the percentage of harmful constituents;
- (d) providing for the periodic medical examination by qualified physicians of employees engaged in such industrial processes and the reports to be made of such examinations;
- (e) respecting the payment of fees for medical examinations;
- (f) respecting the reporting of cases of industrial poisoning by employers, doctors and others;
- (g) generally, governing such other matters as may be deemed advisable for the protection of such persons.

(2) A factory or shop in which a contravention of this section or of any regulations made thereunder occurs shall be

deemed

deemed to be kept so that the safety of the persons employed therein is endangered. *New.*

Boiler Insurance and Inspection.

58.—(1) The owner or user of a boiler or other pressure vessel in a factory, shop, bakeshop, restaurant or office building or in any other building on any other premises or in any other place or in a highway or in any other public place shall not operate or use the same unless it is insured in some boiler insurance company registered in the Department of Insurance or has been inspected and reported safe to operate within the calendar year by some person authorized by the regulations under subsection 5. R.S.O. 1927, c. 275, s. 58 (1); *amended.*

Annual inspection of boilers, etc., when not insured.

(2) Every such boiler insurance company shall annually on the 30th day of November, transmit to the Chief Inspector, a report of the boilers and other pressure vessels in Ontario insured by it, and when the insurance is cancelled the company shall forthwith give notice thereof to the Chief Inspector. R.S.O. 1927, c. 275, s. 58 (2).

Returns of boiler insurance companies.

(3) Whenever the inspector is of opinion that a boiler or other pressure vessel is in such position, or is so located or operated as to be dangerous to life or property he may, by written notice to the owner and employer, and to the person operating or using such boiler or other pressure vessel, direct that the use of the boiler or other pressure vessel shall be discontinued until it has been inspected as provided in subsection 1 and a certificate has been given by the inspector that the boiler or other pressure vessel may be safely operated.

Discontinuing use when dangerous.

(4) A factory, shop, bakeshop, restaurant or office building in which a boiler or other pressure vessel is used in contravention of the requirements of this section, after such notice from the inspector and before a certificate has been given as provided in subsection 3 shall be deemed to be kept so that the safety of the persons employed in the factory, shop, bakeshop, restaurant or office building is in danger. R.S.O. 1927, c. 275, s. 58 (3, 4); *amended.*

Effect of non-compliance.

(5) Subject to the approval of the Lieutenant-Governor in Council, the Minister of Labour may make regulations:

Regulations as to inspectors.

(a) prescribing the qualifications of persons to act as inspectors under subsection 1;

(b) respecting the examination of candidates and the granting of certificates and the evidence to be furnished by the candidates as to previous training and experience and as to sobriety and good character;

(c)

- (c) determining the periods for which the certificates shall be granted and the terms upon which they may be renewed;
- (d) fixing the fees to be paid by candidates upon examination and for certificates and renewals;
- (e) prescribing the causes for which a certificate may be revoked, cancelled or suspended;
- (f) fixing the fees or other remuneration to be paid to an inspector upon inspection;
- (g) assigning the district or locality in which any inspector is to act. R.S.O. 1927, c. 275, s. 58 (5);
- (h) prescribing the nature of reports of inspection of uninsured boilers and other pressure vessels and the conditions under which such are to be made. *New.*

Exception as to insured boilers.

- (6) Nothing in subsection 5 shall apply to the inspection of any boiler or other pressure vessel which is insured as provided in subsection 1. R.S.O. 1927, c. 275, s. 58 (6).

Certain boilers excepted.

- (7) Nothing in this section shall apply to a boiler or other pressure vessel

- (a) used for heating purposes in a dwelling house, not being part of an apartment house; or
- (b) used on a farm for agricultural purposes only. R.S.O. 1927, c. 275, s. 58 (7); *amended.*

Elevators and Hoists.

Regulations.

59.—(1) Subject to the regulations, in every factory, shop, bakeshop, restaurant and office building,

Elevators and hoists.

- (a) the openings of the hoistway, hatchway and well-hole used for every power elevator shall, at each floor including the basement, be provided with and protected by good and sufficient trap doors or self-closing hatches or, in the case of an elevator not operated by hand power, by gates closing automatically not less than five feet six inches high and which may be made in sections;
- (b) the sides of the shafts on all floors including the basement not guarded by gates shall be protected

by

by enclosures at least six feet high, approved by the inspector;

- (c) where any elevator is enclosed in a tower having walls over six inches thick it may be provided with an extra operating rope outside the tower;
- (d) in every case the elevator must be provided with a lock to secure the operating rope;
- (e) where an elevator is operated by hand power the gates shall not be less than three feet in height and shall be automatic closing gates, and the sides not protected by gates shall be protected by enclosures not less than four feet in height approved by the inspector;
- (f) a sign on which the word "Dangerous" in letters not less than four inches in height is clearly painted shall be affixed or stencilled on the bottom rail of every gate where it will be plainly visible from the outside;
- (g) the top of every elevator platform shall be provided with a sufficient guard to protect the occupants, approved by the inspector;
- (h) every elevator, whether used for freight or passengers, shall be provided with some suitable mechanical device to be approved by the inspector whereby the car or cab will be stopped and held in case of accident to the elevator or to the machinery or appliances connected therewith. R.S.O. 1927, c. 275, s. 59 (1); *amended*.

(2) The Lieutenant-Governor in Council may by regulation prescribe such requirements in addition to or in substitution for the requirements of subsection 1 with respect to the use of elevators and hoists in factories, shops, bakeshops, restaurants or office buildings, or in any class of factories, shops, bakeshops, restaurants, or office buildings. R.S.O. 1927, c. 275, s. 59 (2).

Regulations prescribing additional requirements.

(3) Every owner or employer who after notice from the inspector uses or permits to be used any elevator or hoist in respect of which the provisions of this section are not complied with shall incur a penalty of not less than \$20 nor more than \$200 and in default of payment thereof shall be liable to imprisonment for any period not exceeding twelve months.

Penalty for contravention.

Certain kinds of hoists not to be used.

(4) Unless equipped with a brake or other device for stopping the belt and with an automatic device for stopping it at the top, an elevator or hoist constructed upon the principle of an endless belt or any similar contrivance shall not be used in any factory for carrying passengers, or goods, or freight and every owner or employer who uses or permits to be used, any such contrivance not so equipped shall incur a penalty of not less than \$20 nor more than \$200 and in default of payment thereof shall be liable to imprisonment for any period not exceeding twelve months and not less than three months, but this shall not apply to an escalator or other like contrivance which is not perpendicular, when such contrivance is supplied with handrails at the sides and is not otherwise enclosed and the Chief Inspector has certified that it is so constructed that it may be operated without danger to persons using the same. R.S.O. 1927, c. 275, s. 59 (3, 4); amended.

Speed.

(5) The rate of speed of an endless belt or any similar contrivance shall not exceed the rate of seventy-five feet per minute.

Rights of municipal councils preserved.

Rev. Stat., c. 233.

(6) Nothing in this section shall take away or interfere with the powers possessed by municipal councils under *The Municipal Act* in respect of hoists or elevators. R.S.O. 1927, c. 275, s. 59 (5, 6).

Age of person operating elevators.

(7) No person under the age of eighteen years shall be allowed to regularly operate or control an elevator in a factory, shop, bakeshop, restaurant, or office building. 1929, c. 72, s. 8.

Fire Prevention and Protection.

Prevention and protection from fire as required by inspector under regulations.

60.—(1) In every factory, shop, restaurant or office building there shall be such means of prevention and protection from fire and of extinguishing fire as the inspector, acting under the regulations, directs in writing.

Main doors to open outwardly.

(2) In every factory and office building and in every shop or restaurant in which more than fifteen persons are employed at any time during the year the main inside and outside doors for the use of employees shall open outwardly, and any door leading to or being the principal or main entrance for employees or leading to any tower stairway or fire escape shall not be bolted, barred or locked at any time during the ordinary and usual working hours.

Fire escape appliances.

(3) The owner of every factory, shop, restaurant or office building over two storeys in height, and where deemed necessary by the inspector, the owner of every factory, shop or office

building

building over one storey in height, shall provide one or more systems of fire escapes and shall keep the same in good repair and to the satisfaction of the Chief Inspector, as follows,—

- (a) a sufficient number of tower stairways with iron doorways within reach of or having easy communication with all the working rooms; Tower stairways and iron doorways.
- (b) a sufficient number of iron or other unflammable fire escapes on the outside of the building consisting of stairways with railing or, if the approval of the inspector is given in writing, then of iron ladders; and every such stairway or ladder shall be connected with the interior of the building by iron or tinned doors or windows with iron shutters, and shall have suitable landings at every storey, including the attic if the attic is occupied as a workroom, and the stairways shall start at a distance of not more than eight feet from the ground or pavement. R.S.O. 1927, c. 275, s. 60 (1-3). Iron or unflammable fire escapes.

(4) No outside fire escape shall extend above the fifth floor of any factory, shop, restaurant or office building, and the ground floor shall be considered the first floor. *New.* Extent of outside fire escapes.

(5) The Lieutenant-Governor in Council may make regulations for the more effectual carrying out of the provisions of this section and for the adoption of any system of fire escape in substitution for those above mentioned. R.S.O. 1927, c. 275, s. 60 (4). Regulations.

(6) The owner or proprietor of any factory, shop, restaurant or office building refusing or neglecting to provide the means of safe exit in case of fire prescribed in this section, or by the regulations made thereunder, shall incur a penalty of not less than \$20 nor more than \$200 and in default of immediate payment of the same shall be liable to imprisonment for a period of not more than twelve months. R.S.O. 1927, c. 275, s. 60 (5); *amended.* Penalty for contravention.

(7) A factory, shop, restaurant or office building in which a contravention of this section, or of any regulation made thereunder occurs, shall be deemed to be kept so that the safety of persons employed therein is endangered. R.S.O. 1927, c. 275, s. 60 (6). Contravention.

Notice of Accidents, Explosions and Deaths.

61. Where a fire or accident in any factory, shop, bakeshop, restaurant or office building occasions any bodily injury to any Notice of accident to be given to inspector.

person

person employed therein whereby he is prevented from working for more than six days next after the fire or accident, a notice in the prescribed form shall be sent to the Chief Inspector by the employer forthwith after the expiration of such six days, and if such notice is not so sent the employer shall incur a penalty of not less than \$10 nor more than \$30. R.S.O. 1927, c. 275, s. 61; *amended*.

Notice of explosion.

62. Where an explosion occurs in a factory, shop, bakeshop, restaurant or office building, whether any person is injured thereby or not, the fact of such explosion having occurred shall be reported to the Chief Inspector in writing by the employer in the prescribed form within twenty-four hours next after the explosion takes place, and if such notice is not so sent the employer shall incur a penalty of not less than \$10 nor more than \$30. R.S.O. 1927, c. 275, s. 62; *amended*.

Notification of death or fatal injury.

63. Where in a factory, shop, bakeshop, restaurant or office building any person is killed from any cause, or is injured from any cause in a manner likely to prove fatal, written notice of the accident in the prescribed form shall be sent to the Chief Inspector within twenty-four hours after the occurrence thereof and if such notice is not so sent the employer shall incur a penalty of not less than \$10 nor more than \$30. R.S.O. 1927, c. 275, s. 63; *amended*.

Bakeshops.

Construction, lighting, heating, ventilation and drainage of bakeshops.

64. Every bakeshop shall be constructed and maintained as to lighting, heating, ventilation and drainage in such a manner as not to be dangerous or injurious to the health of any person working therein, and shall be kept at all times in a clean and sanitary condition, and so as to secure the manufacture and preservation of all food products and materials therein in a good and wholesome condition. R.S.O. 1927, c. 275, s. 64.

Washroom, towels, soap and closet.

65.—(1) Every bakeshop which is not within the provisions of this Part relating to factories or shops shall be provided with a proper washroom and a sufficient supply of clean towels and soap, and a closet and other conveniences for the health and comfort of the persons employed therein.

Situation of washrooms and closet.

(2) The washroom, closets and other conveniences shall be separate from the bakeshop and shall be kept clean and in a sanitary condition. R.S.O. 1927, c. 275, s. 65.

No bakeshop to be in basement.

66.—(1) No bakeshop shall be kept in any basement or in any part of a building which is below the level of the street or road upon which the bakeshop is situate.

(2) This section shall not apply to any bakeshop established before the 6th day of May, 1913. R.S.O. 1927, c. 275, s. 66. Application.

67. The sleeping places of the employees of every bakeshop shall be separate from the bakeshop, and no person shall sleep in a bakeshop. R.S.O. 1927, c. 275, s. 67. Sleeping places to be separate.

68. Subsection 5 of section 43 and section 71 shall apply to every bakeshop whether the same is or is not a factory or shop within the provisions of this Part relating to factories and shops. R.S.O. 1927, c. 275, s. 68. Health and hours of labour.

69. Every bakeshop, not being a factory or shop to which section 60 applies, shall be provided with proper means and facilities of escape in case of fire to the satisfaction of the inspector. R.S.O. 1927, c. 275, s. 69. Fire escapes.

70. No person shall sell, expose or offer for sale bread or buns manufactured out of Ontario without the written permission of an inspector. R.S.O. 1927, c. 275, s. 70. Sale of bread, etc., manufactured out of Ontario.

71. Except with the written permission of the inspector no person shall require, permit or suffer any adult male employee in any bakeshop to work on Sunday, nor for more than twelve hours in any twenty-four hours, computed from the time when the employee commences to work, nor more than sixty hours in any one week, and a copy of such permission shall be posted up in a conspicuous place in the bakeshop. R.S.O. 1927, c. 275, s. 71. No person to work on Sunday or more than 12 hours except with inspector's permission.

OFFENCES AND PENALTIES.

72.—(1) No person shall keep a factory, shop, bakeshop, restaurant or office building so that the safety of persons employed therein is endangered, or so that the health of the persons employed therein is likely to be injured, and every person who so keeps a factory, shop, bakeshop, restaurant or office building shall incur a penalty of not less than \$20 nor more than \$200 or may be imprisoned in the common gaol of the county within which the offence was committed for a period of not more than twelve months. Premises dangerous to health or safety. Penalty.

(2) The enumeration in this Part of cases in which it is declared that where an act or omission occurs a factory, shop, bakeshop, restaurant or office building shall be deemed to be kept so that the safety of the persons employed therein is endangered shall not restrict or limit the generality of the provisions of subsection 1. R.S.O. 1927, c. 275, s. 73; *amended*. Enumeration not to affect generality.

73. Every person who wilfully makes a false entry in any register, notice, certificate or document required by this Part False entries, etc.

Penalty. or the regulations made under this Part, to be kept or served or sent, or who wilfully makes or signs a false declaration under this Act, or who knowingly makes use of any such false entry or declaration, shall incur a penalty of not less than \$50 nor more than \$300 and in default of immediate payment of such penalty shall be liable to imprisonment for a period not exceeding six months. R.S.O. 1927, c. 275, s. 74; *amended*.

Parents
liable to
penalty.

74. The parent of any youth or young girl employed in contravention of this Part, unless such employment is without the consent, connivance or wilful default of such parent shall for each offence incur a penalty of not less than \$10 nor more than \$50. R.S.O. 1927, c. 275, s. 75.

Penalty
for contra-
vention of
Act where no
express
penalty
provided.

75. If any of the provisions of this Part, or of the regulations, or any directions of the inspector are contravened and no other penalty is herein provided for such contravention the offender shall incur a penalty of not less than \$10 nor more than \$50. R.S.O. 1927, c. 275, s. 76.

Onus of
proof as to
age.

76. Where a youth or young girl is, in the opinion of the police magistrate or justice, apparently of the age alleged by the informant it shall lie on the person charged to prove that the youth or young girl is not of that age. R.S.O. 1927, c. 275, s. 77.

Penalty
on person
committing
offence for
which
employer is
liable.

77. Where an offence for which an employer is liable under this Part has in fact been committed by some agent, servant, workman or other person such agent, servant, workman or other person shall also be liable to the same penalty or punishment for such offence as if he were the employer. R.S.O. 1927, c. 275, s. 78.

Power of
employer
to exempt
himself
from fine on
conviction of
the actual
offender.

78. Where the employer is charged with an offence against this Part he shall be entitled, upon information duly laid by him, to have any other person whom he alleges to be the actual offender brought before the police magistrate or justice at the time appointed for hearing the charge; and if after the commission of the offence has been proved, the employer proves to the satisfaction of the police magistrate or justice that he had used due diligence to enforce the execution of this Part, and that such other person had committed the offence without the knowledge, consent or connivance of the employer such other person may be summarily convicted of such offence and the employer shall be exempt from any penalty or punishment. R.S.O. 1927, c. 275, s. 79.

Inspector
to proceed
against
actual
offender.

79. Where it appears to the satisfaction of the inspector that an employer had used all due diligence to enforce the

execution

execution of this Part, and also by what person an offence against this Part was committed, and that it was committed without the knowledge, consent or connivance of the employer and in contravention of his orders the inspector shall proceed against the person whom he believes to be the actual offender in the first instance and not against the employer, and in case of his conviction the employer shall be exempt from any penalty or punishment. R.S.O. 1927, c. 275, s. 80.

80. A person shall not be liable in respect of a repetition of the same kind of offence from day to day to any larger penalty or punishment than the highest penalty or punishment fixed by this Part for the offence except where,—

- (a) the repetition of the offence occurs after an information has been laid for the previous offence; or
- (b) the offence is one of employing two or more youths, young girls or women contrary to the provisions of this Part. R.S.O. 1927, c. 275, s. 81.

81.—(1) Save where otherwise provided by this Act all prosecutions under this Part may be brought and heard under *The Summary Convictions Act*. R.S.O. 1927, c. 275, s. 83 (1); *amended*. Prosecutions and procedure. Rev. Stat., c. 121.

(2) The information shall be laid within two months, or where the offence is punishable at discretion, by imprisonment within three months, after the offence has come to the knowledge of the inspector, or where the inspector has given notice to the offender to remedy the matter which is alleged to be an offence against this Part, within three months after the expiry of the time given by the notice to remedy the same. R.S.O. 1927, c. 275, s. 83 (2). Limitation of prosecutions.

(3) It shall be sufficient to allege that a factory, shop, bake-shop, restaurant or office building is a factory, shop, bakeshop, restaurant or office building within the meaning of this Part. R.S.O. 1927, c. 275, s. 83 (3); *amended*. Allegation as to factory, shop, bakeshop, restaurant or office building.

(4) It shall be sufficient to state the name of the ostensible employer or the firm name by which the employer is usually known. R.S.O. 1927, c. 275, s. 83 (4). Statement as to name of employer.

82. Penalties recovered under this Act shall be paid by the convicting magistrate to the inspector or to the Crown Attorney, and shall be paid over by the inspector or the Crown Attorney as the case may be, to the Chief Inspector and accounted for to the Treasurer of Ontario. R.S.O. 1927, c. 275, s. 84. Payment over of penalties.

Minimum
penalty.

83. Whenever in this Act it is provided that a penalty may be imposed for an offence against this Act and no minimum penalty is prescribed, no less penalty shall be imposed upon conviction of the offence than an amount equivalent to one-tenth of the maximum penalty, and in no case less than \$10. 1929, c. 72, s. 9.

Limitation of
liability in
certain cases.

84. In all cases between employer and employed or their representatives where liability for damages arises by reason of any violation of this Part the liability shall be subject to the limitations contained in *The Workmen's Compensation Act*. R.S.O. 1927, c. 275, s. 85.

Rev. Stat.,
c. 179.

PART II.

MUNICIPAL BY-LAWS AS TO CLOSING OF SHOPS.

Inter-
pretation.

85.—(1) In this section and in any by-law passed thereunder:

'Shop.'

(a) "Shop" shall mean a building or portion of a building, booth, stall or place where goods are exposed or offered for sale by retail, and barbers' shops; but shall not include a place where the only trade or business carried on is that of a licensed hotel or tavern, victualling house or refreshment house;

"Closed."

(b) "Closed" shall mean not open for the serving of any customer.

Exception as
to customers
entering
before clos-
ing hour.

(2) Nothing in this section or in any by-law passed under the authority thereof shall render unlawful the continuance in a shop after the hour appointed for the closing thereof, of any customers who were in the shop immediately before that hour, or the serving of such customers during their continuance therein.

By-law
determining
hours of
closing.

(3) The council of a city, town or village may by by-law require that during the whole or any part or parts of the year all or any class or classes of shops within the municipality shall be closed, and remain closed on each or any day of the week at and during any time or hours between seven of the clock in the afternoon of any day and five of the clock in the forenoon of the next following day, but no such by-law shall be deemed to apply to the sale of fresh fruit.

Council to
pass by-law
on applica-
tion of
occupiers
of shops.

(4) If an application is presented to such council praying for the passing of a by-law requiring the closing of any class of shops situate within the municipality, and the council is satisfied that such application is signed by not less than

three-fourths

three-fourths in number of the occupiers of shops within the municipality belonging to the class to which such application relates, the council shall, within one month after the presentation of such application, pass a by-law giving effect thereto and requiring all shops within the municipality belonging to the class specified in the application to be closed during the period of the year and at the times and hours mentioned in subsection 3 as are named in the application.

(5) If an application is presented to the council of a city, town or village praying for the passing of a by-law requiring the closing of any class of shops situate within the municipality and the council is satisfied that such application is signed by not less than three-quarters in number of the occupiers of shops within the municipality belonging to the class to which such application relates, the council shall, within one month after the presentation of such application, pass a by-law giving effect thereto and requiring all shops within the municipality belonging to the class specified in the application to be closed and remain closed on one particular day of the week during such time or hours between twelve-thirty o'clock noon and five of the clock of the forenoon of the next following day and during such periods of the year as are named in the application.

Compulsory closing of shops for weekly half-holiday.

(6) If the application is delivered to the clerk of the council it shall be deemed to have been presented to and received by the council.

Presentation of application.

(7) The council of every township shall, with respect to any portion of such township designated in the by-law, have all the rights and powers conferred by this section on the council of a city, town or village, and may pass by-laws which shall apply only to that portion of the township so designated.

Powers of township councils.

(8) The council may by by-law make regulations as to the form of the application and as to the evidence to be produced respecting the proportion of persons signing the same and as to the classification of shops for the purposes of this section, and it shall not be compulsory upon the council to pass such by-law unless and until all such regulations have been duly observed.

Regulations as to form and proof of applications.

(9) Every such by-law shall take effect at a date named therein, being not less than one nor more than two weeks after the passing thereof, and shall before that date be published in such manner as to the council passing the by-law may appear best fitted to insure the publicity thereof.

Commencement and publication of by-laws.

Conditions
of repeal.

(10) A council shall not repeal a by-law passed pursuant to subsection 4 except as provided in the next following subsection.

Idem.

(11) If at any time it is made to appear to the satisfaction of the council that more than one-third in number of the occupiers of shops to which any by-law passed by the council under the authority of subsection 4 relates, or of any class of such shops, are opposed to the continuance of such by-law the council may repeal the by-law, or may repeal the same in so far as it affects such class; but any such repeal shall not affect the power of the council to thereafter pass another by-law under any of the provisions of this section.

Closing
of shops
in which
several
trades are
carried on.

(12) A shop in which trades of two or more classes are carried on shall be closed for the purpose of all such trades during the hours in which it is by any such by-law required to be closed for the purpose of that one of such trades which is the principal trade carried on in such shop.

Exception
as to sales by
druggists.

(13) A pharmaceutical chemist or druggist shall not, nor shall any occupier of, or person employed in or about a shop in any village or township be liable to any penalty or punishment under any such by-law for supplying medicines, drugs or medical appliances after the hour appointed by such by-law for the closing of shops; but nothing in this subsection shall authorize any person to keep open shop after that hour.

Supplying
articles to
lodgers, etc.

(14) Nothing in any such by-law shall render the occupier of any premises liable to any penalty or punishment for supplying any article to any person lodging in such premises, or for supplying any article required for immediate use by reason of any emergency arising from sickness, ailment or death, or for supplying or selling any article to any person for use on or in or about or with respect to any steamboat or sailing vessel which at the time of such supplying or selling is either within or in the immediate neighbourhood of the municipality in which the premises are situate, or for use by or with respect to any person employed or engaged on or being a passenger on or by any such steamboat or sailing vessel; but nothing in this subsection shall authorize any person to keep open shop after the hour appointed by such by-law for the closing of shops.

Councils
may pass
by-laws con-
taining
different
provisions
for different
localities.

(15) A by-law passed by the council of a township for the closing of all or any class or classes of shops may as to any or all of its terms and provisions, differ from any other by-law

passed

passed by the same council for the closing of all or any class or classes of shops in any other designated part of the same township.

(16) Notwithstanding that the occupiers of any class of shops required to be closed by a by-law passed under the provisions of subsection 4 may not have presented an application for the passing of such by-law, every such by-law shall, nevertheless, be valid and effectual as respects any other, and the occupiers of any other class of shops thereby required to be closed in conformity with any application in that behalf made or presented to the council by the prescribed number of occupiers of such last mentioned class.

By-laws
invalid as to
one class
may be good
as to others.

(17) The onus of proving that an application in compliance with subsection 4 was not presented by the prescribed number of the occupiers of any class of shops shall be upon the person asserting that such application was not so presented.

Burden
of proof.

(18) Where an offence for which the occupier of a shop is liable under any such by-law to any penalty or punishment has in fact been committed by some agent or servant of such occupier, such agent or servant shall be liable to the same penalty or punishment as if he were the occupier.

Agent or
servant to be
liable to
penalty.

(19) Where the occupier of a shop is charged with an offence against any such by-law he shall be entitled, upon information duly laid by him, to have any other person whom he alleges to be the actual offender brought before the court at the time appointed for hearing the charge; and if, after the commission of the offence has been proved, the occupier proves to the satisfaction of the court that he has used due diligence to enforce the execution of the provisions of the by-law, and that such other person committed the offence without his knowledge, consent or connivance, such other person may be summarily convicted of such offence and shall be liable to the same penalty or punishment as if he were the occupier, and the occupier shall be exempt from any penalty or punishment.

Power of
occupier to
exempt him-
self on con-
viction of
actual
offender.

(20) The provisions of *The Municipal Act* as to the penalties which may be imposed for contravention of by-laws and the recovery thereof shall apply to by-laws passed under this section. R.S.O. 1927, c. 275, s. 86.

Municipal
Act to apply.

Rev. Stat.,
c. 233.

86. *The Factory, Shop and Office Building Act*, being chapter 275 of the Revised Statutes of Ontario, 1927, and *The Factory, Shop and Office Building Act, 1929*, being chapter 72 of the Statutes of Ontario, 1929, are hereby repealed.

Repeal.

87. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-
ment of Act.

CHAPTER 36.

An Act to amend The Minimum Wage Act.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- Short title. **1.** This Act may be cited as *The Minimum Wage Act, 1932.*
- Rev. Stat.,
c. 277,
s. 1, cl. g,
repealed. **2.** The clause lettered g in section 1 of *The Minimum Wage Act* is repealed and the following substituted therefor:
- “Wage,
or wages.” (g) “Wage or wages” shall mean any compensation for labour or services, measured by time, piece or otherwise.
- Rev. Stat.,
c. 277,
amended. **3.** *The Minimum Wage Act* is amended by adding thereto the following section:
- Delegating
authority. **10a.** The Board may, by unanimous vote, delegate the authority and powers granted under section 10 of this Act to one or more of its members.
- Rev. Stat.,
c. 277, s. 20,
amended. **4.** Section 20 of *The Minimum Wage Act* is amended by inserting after the word “affixed” in the fourth line the words “by the employer,” and by striking out the word and figures “section 24” in the fifth line and inserting in lieu thereof the words and figures “sections 23 and 24” so that the section shall now read as follows:
- Notice of
order. **20.** The Board may direct that notice of such order be posted in such positions as to be easily read by the employees in each factory, shop, and office building or other establishment concerned. The notice shall be affixed by the employer and kept posted up and otherwise dealt with as provided by sections 23 and 24 of *The Factory, Shop and Office Building Act, 1932.*
- Rev. Stat.,
c. 275.

Rev. Stat.,
c. 277, s. 21,
subs. 1,
amended **5.—(1)** Subsection 1 of section 21 of *The Minimum Wage Act* is amended by striking out the words and figures “\$500

and

and not less than \$50" in the third and fourth lines and inserting in lieu thereof the words and figures "\$200 and not less than \$20," so that the subsection shall now read as follows:

- (1) Every employer who contravenes any order of the Board in regard to wages or hours shall be guilty of an offence and shall incur a penalty not exceeding \$200 and not less than \$20 for each employee affected and in addition thereto shall upon conviction be ordered to pay to such employees the difference between the wages actually received and the wages established by the Board. Penalties.
- (2) The said section 21 is further amended by adding thereto the following subsections: Rev. Stat.,
c. 277, s. 21,
amended.
- (3) Every employer shall keep records setting forth the names, addresses, rates of wages, hours of labour, actual earnings and actual time spent in work of all employees and the ages of those employees under eighteen years, and these records shall be open at all times during business hours for inspection and examination by any member or representative of the Board, and copies therefrom shall be furnished when requested by the Board. Records to
be kept by
employers.
- (4) Every employer who fails to keep the records lawfully required, or refuses to furnish any returns or information which may be lawfully required, or who hinders or obstructs any member or representative of the Board in the performance of his duties under this Act shall incur a penalty not exceeding \$20 and not less than \$10. Penalty for
refusing.
- (5) Every employer who falsifies his records or supplies incomplete or untrue information to the Board shall be guilty of an offence and shall incur a penalty not exceeding \$300 and not less than \$50. Penalty for
falsifying
records.
6. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-
ment of Act.

CHAPTER 37.

An Act to amend The Children's Protection Act.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The Children's Protection Act, 1932.*

Rev. Stat.,
c. 279, s. 1,
cl. *k*,
amended. **2.**—(1) The clause lettered *k* in section 1 of *The Children's Protection Act* is amended by inserting the word "provincial" before the word "superintendent" in the first line so that the clause shall now read as follows:

"Superintendent."
(*k*) "Superintendent" shall mean the Provincial Superintendent of Neglected and Dependent Children.

Rev. Stat.,
c. 279, s. 1,
amended. (2) The said section 1 is amended by adding thereto the following clause:

"Local Superintendent."
(*m*) "Local superintendent" shall mean the officer appointed by a children's aid society upon the approval of the Lieutenant-Governor in Council to carry out the provisions of this Act in the territory over which the children's aid society has jurisdiction.

Rev. Stat.,
c. 279, s. 2,
cl. *f*,
repealed. **3.** The clause lettered *f* in section 2 of *The Children's Protection Act* is repealed.

Rev. Stat.,
c. 279, s. 10,
subs. 1,
amended. **4.** Subsection 1 of section 10 of *The Children's Protection Act* is amended by adding at the end thereof the words "and in territory without municipal organization the amount so ordered to be paid shall not exceed seventy-five cents a day," so that the subsection shall now read as follows:

Order
for main-
tenance. (1) In any direction for the temporary custody and care of a child pending the hearing or determination of the case, the judge may order, and when committing a child to the custody or control of a children's aid

society

society the judge shall order, the payment by the corporation of the municipality in which the child belongs of a reasonable sum, not less than seventy-five cents a day, for the maintenance of the child by the society in a temporary home, an institution, a foster home or elsewhere where children are not cared for without compensation, and in territory without municipal organization the amount so ordered to be paid shall not exceed seventy-five cents a day.

5. Subsection 3 of section 12 of *The Children's Protection Act* is repealed. Rev. Stat., c. 279, s. 12, subs. 3, repealed.

6. Subsection 2 of section 29 of *The Children's Protection Act* is amended by striking out the words "Inspector of Prisons and Public Charities" in the fifth and sixth lines and inserting in lieu thereof the word "Superintendent," so that the subsection shall now read as follows: Rev. Stat., c. 279, s. 29, subs. 2, amended.

(2) Authority to bring such children into Ontario shall only be granted on condition that if any such child becomes, within five years of his immigration, an inmate of a prison, hospital or other charitable institution where such child is likely to become a permanent charge, the Superintendent shall notify the society or agent under whose auspices the child was brought into Ontario in order that such child may be deported. Conditions of authority.

7. *The Children's Protection Act* is amended by adding thereto the following section: Rev. Stat., c. 279, amended.

38. Subject to the approval of the Lieutenant-Governor in Council, the Minister may make regulations,— Regulations.

(a) governing the duties and scope of a children's aid society;

(b) providing for the appointment of a local superintendent by a children's aid society and prescribing his duties under this Act or any other child welfare Act;

(c) generally for the better carrying out of the provisions of this Act.

8. The provisions of this Act shall apply with respect to every child now a ward of a children's aid society as if he had been committed upon the day upon which this Act receives the Royal Assent. Application of Act.

9. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act

CHAPTER 38.

An Act respecting Live Stock and Live Stock Products.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Live Stock and Products Act, 1932*.

Dom. Stat.,
1927, c. 120,
and amend-
ments to
have force of
law in
Ontario.

2. The provisions of *The Live Stock and Live Stock Products Act*, enacted by the Parliament of Canada and amendments thereto so far as any of them are within the legislative competence of this Legislature shall have the force of law in the Province of Ontario as if enacted by this Legislature and unless and until otherwise enacted by this Legislature shall remain in full force and effect in this Province.

Dominion
amendments
and regula-
tions to
come into
force upon
Proclama-
tion.

3. The Lieutenant-Governor in Council may by Proclamation declare any amendment hereafter made to the said Act, and any regulations heretofore or hereafter made under the said Act or amendments thereto so far as any of them are within the legislative competence of this Legislature, to have the force of law in the Province of Ontario as if enacted by this Legislature, and unless and until otherwise enacted by this Legislature such amendment or regulations as are so proclaimed shall remain in full force and effect in this Province.

Saving of
provincial
legislative
jurisdiction.

4. Nothing in this Act contained, shall be deemed to be or construed as an admission or a declaration by this Legislature that any of the provisions of the said Act, the amendments thereto, or regulations made thereunder are within the legislative competence of the Parliament of Canada nor be deemed to be an undertaking or agreement by this Legislature to maintain any of the provisions thereof in force in Ontario, and this Legislature shall be entitled at any time hereafter to enact legislation within its legislative competence upon any subject matter dealt with therein.

Rev. Stat.,
c. 306,
repealed.

5. *The Live Stock and Products Act*, being chapter 306 of the Revised Statutes of Ontario, 1927, is repealed.

Commence-
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 39

An Act to amend The Steam Boiler Act.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Steam Boiler Act, 1932.* Short title.
2. *The Steam Boiler Act* is amended by adding thereto the following section: Rev. Stat., c. 308, amended.
 - 10a.—(1) Every owner or manufacturer who knowingly contravenes any of the provisions of this Act or the regulations in such a manner as to endanger the safety of any person or who refuses or neglects to comply with any order, direction or recommendation lawfully given or made under this Act or the regulations dealing with the safe manufacture, installation or repair of steam boilers shall be guilty of an offence and shall incur a penalty of not less than \$50 and not more than \$300. Penalty for contravention in such manner as to endanger safety of persons.
 - (2) Every person who contravenes any of the provisions of this Act or the regulations shall be guilty of an offence and where no other penalty is provided shall incur a penalty of not less than \$10 and not more than \$50. Penalty when not otherwise provided.
3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 40.

An Act to amend The Cemetery Act.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- Short title. **1.** This Act may be cited as *The Cemetery Act, 1932.*
- Rev. Stat.,
c. 317, s. 1,
amended. **2.** Section 1 of *The Cemetery Act* is amended by adding thereto the following clauses:
- “Columbarium.” (e) “Columbarium” shall mean any structure designed for the purpose of storing the ashes of human remains which have been cremated;
- “Crematorium.” (f) “Crematorium” shall mean a building fitted with the proper appliances for the purpose of the incineration and cremation of human remains, and shall include everything incidental or ancillary thereto.
- Rev. Stat.,
c. 317,
amended. **3.** *The Cemetery Act* is amended by adding thereto the following Part:

PART IV.

CREMATORIA.

- Establishment of crematoria. 47. The powers of an owner of a cemetery shall be deemed to extend to and include the provision and maintenance of crematoria and columbaria and the disposal of the bodies of deceased persons by incineration or cremation, and the provision of such fixtures, appliances and facilities as may be deemed necessary in order that such cremation or incineration may be carried on in accordance with accepted scientific principles.
- Regulation of cremation and disposal of ashes. 48. The owner shall, subject to approval of the Lieutenant-Governor in Council, have power from time to time

to frame by-laws, rules and regulations for the reception, cremation or incineration of the bodies of deceased persons, for the deposit of ashes remaining therefrom in a suitable columbarium or for otherwise disposing of the same, and for the fees and rates to be charged.

49. No body shall be cremated unless a certificate and permit similar to that now required for burial has been produced nor within forty-eight hours after decease, unless death has been occasioned by a communicable disease subject to quarantine and placard according to the provisions of *The Public Health Act* and regulations passed under authority thereof, and so certified by a duly qualified medical practitioner, in which case a duly constituted local board of health may order that the body of the deceased shall be cremated forthwith. Medical certificate.
Rev. Stat., c. 262.
50. No body shall be cremated unless and until a certificate in the prescribed form, signed by a duly qualified coroner of the municipality in which the death took place has been deposited with the owner, which certificate shall contain the statement that the cause of death has been definitely ascertained and that there exists no reason for further inquiry or examination. Coroner's certificate.
51. The owner shall have the right to refuse to cremate in any case without assigning reasons. Right to refuse cremation.
52. The Lieutenant-Governor in Council shall from time to time have the right to make such rules and regulations as may be deemed advisable for the better carrying out of the provisions of this Act. Right of the Lieutenant-Governor in Council to make regulations.
53. The provisions of sections 2, 3, 4, 5, 6 and 7 of this Act shall apply to crematoria or columbaria, in the same manner as the said sections apply to a cemetery. Approval of site, etc., by Department.
4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 41.

An Act to amend The Game and Fisheries Act.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The Game and Fisheries Act, 1932.*

Rev. Stat.,
c. 318, s. 2,
amended. **2.** Section 2 of *The Game and Fisheries Act* as amended by sections 2 and 3 of *The Game and Fisheries Act, 1930*, and section 2 of *The Game and Fisheries Act, 1931*, is further amended by adding thereto the following clause:

"Dog." (cc) "Dog" shall mean any dog, male or female.

Rev. Stat.,
c. 318, s. 7,
cl. d,
amended. **3.** The clause lettered *d* in section 7 of *The Game and Fisheries Act* is amended by inserting the word "ptarmigan" after the words "pinnated grouse" in the sixth and seventh lines.

Rev. Stat.,
c. 318, s. 8,
subs. 1,
amended. **4.** Subsection 1 of section 8 of *The Game and Fisheries Act* is amended by striking out the words "goshawks, sharp-shinned hawks, great-horned owls" in the fifth and sixth lines and inserting in lieu thereof the words "hawks, owls."

Rev. Stat.,
c. 318, s. 10,
subs. 2,
amended. **5.** Subsection 2 of section 10 of *The Game and Fisheries Act* as amended by section 6 of *The Game and Fisheries Act, 1930*, is further amended by striking out all the words after the word "wolf" in the seventh line.

Rev. Stat.,
c. 318, s. 11,
amended. **6.** Section 11 of *The Game and Fisheries Act* as amended by section 5 of *The Game and Fisheries Act, 1928*, is further amended by adding thereto the following subsection:

Selling muskrat, etc. (5) Notwithstanding anything in this Act contained it shall be lawful for any person having received a permit from the Department for that purpose, to have in his possession and to buy or sell muskrat, beaver, raccoon and bear provided that the same have been taken in a lawful manner and in the proper open season.

7. *The Game and Fisheries Act* is amended by adding thereto the following section: Rev. Stat.,
c. 318,
amended.

16a. It shall be unlawful for any person to buy, sell, or be in possession of gill nets without the authority of a license or permit. Gill nets.

8. Subsection 6 of section 19 of *The Game and Fisheries Act* as enacted by section 5 of *The Game and Fisheries Act, 1929*, is amended by striking out all the words after the word "person" in the fifth line. Rev. Stat.,
c. 318, s. 19,
subs. 6
(1929),
c. 82, s. 5),
amended.

Badges
on licensee.

9. Section 25 of *The Game and Fisheries Act* as amended by section 8 of *The Game and Fisheries Act, 1928*, and section 9 of *The Game and Fisheries Act, 1930*, is further amended by striking out the words "and black" inserted in the second line of the last paragraph by the amendment of 1928 and inserting in lieu thereof the words "black and blue." Rev. Stat.,
c. 318, s. 25,
amended.

10. Section 31 of *The Game and Fisheries Act* as enacted by section 5 of *The Game and Fisheries Act, 1931*, is repealed and the following substituted therefor: Rev. Stat.,
c. 318, s. 31
(1931,
c. 69, s. 5),
repealed.

31.—(1) It shall be unlawful for any person to use or to be accompanied by a dog while hunting deer, moose or caribou. Restraint
on dogs.

(2) It shall be unlawful for the owner of any dog to permit such dog to run at large in a locality which deer, moose or caribou usually inhabit or in which they are usually found.

(3) Any person harbouring or claiming to be the owner of such dog shall be deemed to be the owner thereof and any dog found running deer, moose or caribou shall be deemed to be at large with the permission of the owner and may be killed on sight by any person, and he shall not be liable to any penalty or damage therefor.

11. Subsection 2 of section 36 of *The Game and Fisheries Act* as enacted by section 8 of *The Game and Fisheries Act, 1929*, and amended by section 11 of *The Game and Fisheries Act, 1930*, is repealed and the following substituted therefor: Rev. Stat.,
c. 318, s. 36,
subs. 2
(1929,
c. 82, s. 8),
repealed.

(2) It shall be unlawful for any person to use snares for any purpose in the counties of Victoria, Peterborough, Hastings, Lennox, Addington, Frontenac, Leeds and Grenville. Use of
snares in
certain
counties
prohibited.

Rev. Stat.,
c. 318, s. 36,
subs. 3
(1931,
c. 69, s. 6),
repealed.

12. Subsection 3 of section 36 of *The Game and Fisheries Act* as enacted by section 6 of *The Game and Fisheries Act, 1931*, is repealed and the following substituted therefor:

Hunting
rabbits.

- (3) It shall be unlawful for any person when using ferrets in the hunting of rabbits to make use of, in addition to a ferret, the hands or any contrivance whatever other than a firearm in the actual taking of rabbits at such time.

Rev. Stat.,
c. 318, s. 45,
subs. 1,
amended.

13. Subsection 1 of section 45 of *The Game and Fisheries Act* is amended by striking out the words "It shall be unlawful for any person to take fish by any means in any waters protected by this Act" at the commencement of the said subsection and inserting in lieu thereof the words "It shall be unlawful for any person to angle for or take fish by any means from any waters protected by this Act," so that the subsection shall now read as follows:

Fishing in
protected
waters
prohibited.

- (1) It shall be unlawful for any person to angle for or take fish by any means from any waters protected by this Act and the regulations, or in waters set apart for the propagation of fish, but this shall not apply to the taking of fish under authority given by the department for the stocking and rearing of fish for public waters.

Rev. Stat.,
c. 318, s. 59,
amended.

14. Section 59 of *The Game and Fisheries Act* as amended by section 9 of *The Game and Fisheries Act, 1928*, and section 10 of *The Game and Fisheries Act, 1929*, is further amended by adding thereto the following subsection:

Arms and
accoutre-
ment.

- (12) Upon permit being granted therefor by the Minister or Deputy Minister it shall be lawful for officers appointed under subsection 1 of this section and in possession of such permit to carry arms and accoutrement for the purpose of self-defence.

Commence-
ment of Act.

15. This Act shall come into force on the 1st day of June, 1932.

CHAPTER 42.

An Act to amend the School Laws.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The School Law Amendment Act, 1932.* Short title.

2. Clause *l* of section 1 of *The Public Schools Act* is repealed and the following substituted therefor: Rev. Stat., c. 323, s. 1, cl. 1, amended.

(*l*) "School section" shall mean a locality formed of the whole of or any area in or any part of a township or of the whole or part of one or more townships or of the whole or any part of an urban municipality and the whole of or any area in or any part of an adjacent township for which a public school board has heretofore been or hereafter is established under the authority of this Act. To enlarge definition of school section.

3. Subsection 1 of section 15 of *The Public Schools Act* is amended by inserting after the word "apart" in the fourth line the words "the whole or" and by striking out the words "lying contiguous to a city or town" in the fourth and fifth lines, so that the subsection shall now read as follows: Rev. Stat., c. 323, s. 15, subs. 1, amended.

(1) The council of a township may by by-law passed with the consent of a majority of the whole number of members of the council before the 1st day of July in any year, set apart the whole or any portion of the township as a township school area and may declare that thereafter the school sections included in the township school area shall cease to exist as separate school sections and that the school boards having jurisdiction therein shall be dissolved. By-law setting apart township school area.

4. Section 16 of *The Public Schools Act* is amended by striking out the words "a contiguous city or town" in the Rev. Stat., c. 323, s. 16, amended.

fourth line and inserting in lieu thereof the words "an adjacent urban municipality," so that the section shall now read as follows:

Agreement
with urban
board.

16. Subject to the approval of the Minister, the board of public school trustees of a township school area may enter into an agreement with the board of education or board of public school trustees of an adjacent urban municipality for the purposes and in the manner provided by section 87.

Rev. Stat.,
c. 323, s. 17,
subs. 1,
amended.

5. Subsection 1 of section 17 of *The Public Schools Act* is amended by striking out the words "with the board of a contiguous city or town" in the third line and also by striking out the words "the portion of the township included" in the fourth and fifth lines and inserting in lieu of the latter the words "the taxable property of the public school supporters," so that the subsection shall now read as follows:

Exemption
from town-
ship rate.

- (1) Where the board of public school trustees of a township school area has entered into an agreement under section 16, the council of the township may exempt the taxable property of the public school supporters in such township school area from the general rate required to be levied under section 109, but such exemption shall not be granted until the Minister has given his approval thereto in writing.

Rev. Stat.,
c. 323, s. 39,
amended.

6. Section 39 of *The Public Schools Act* is amended by adding thereto the following subsection:

Time for
making
awards.

- (3) Arbitrators appointed under any of the provisions of this Act shall make their award within one month from the time when the last arbitrator was appointed, provided, however, that the county or district judge may extend the time for making an award upon application to him by the arbitrators either before or after the time for making the award has expired.

Rev. Stat.,
c. 323, s. 60,
subs. 2
(1931,
c. 71, s. 4),
repealed.

- 7.—(1) Subsection 2 of section 60 of *The Public Schools Act* as enacted by section 4 of *The School Law Amendment Act, 1931*, is repealed and the following substituted therefor:

Rates in
urban muni-
cipalities.

- (2) In urban municipalities situate in unorganized territory where a like condition exists the rates to be so levied on public school supporters shall be equal to those levied in the nearest municipality.

Rates in
rural school
sections.

- (3) In rural school sections in townships situate in unorganized territory where a like condition exists

the rates to be so levied on public school supporters shall be equal to the average rate levied on public school supporters in the other rural school sections in the same township in which there is a public school, or if there be none then equal to the rate levied on public school supporters in the nearest rural school section outside the township in which there is a public school.

(2) Section 324 of *The Municipal Act* is amended by striking out the words "poor school sections" in the last line and inserting in lieu thereof the word "schools."

Rev. Stat.,
c. 233, s. 324,
amended.

8. Subsection 3 of section 62 of *The Public Schools Act* is repealed and the following substituted therefor:

Rev. Stat.,
c. 323, s. 62,
subs. 3,
repealed.

(3) The persons qualified to be elected trustees shall be any person who is a British subject, of the full age of twenty-one years, not disqualified under this Act and who is,—

Qualifica-
tion of
trustees.

(a) a resident ratepayer; or

(b) the husband, wife, son or daughter of a person assessed as the owner of a farm if resident on the farm with the assessed owner;

and no person not so qualified shall be elected or competent to act as trustee.

9.—(1) Subsection 1 of section 72 of *The Public Schools Act* is amended by striking out the paragraph immediately preceding clause *a* of the said subsection and inserting in lieu thereof the following paragraph:

Rev. Stat.,
c. 323, s. 72,
subs. 1,
amended.

"and if the majority of the votes on the said question are in the affirmative, at the first annual election held thereafter nine trustees shall be elected and the three of them who receive the highest number of votes shall hold office for three years, the three of them who receive the next highest number of votes shall hold office for two years, and the remaining three of them shall hold office for one year, each of them, however, holding office until his successor is elected and takes office."

Election of
public school
trustees by
general vote.

(2) The said section 72 is further amended by adding thereto the following subsections:

Rev. Stat.
c. 323,
s. 72,
amended.

(2a)

Election by
ballot.

- (2a) Every election of trustees by general vote provided for in subsections 1 and 2 shall be by ballot and the provisions of subsections 4 and 5 of section 76 shall apply thereto.

Tenure of
office.

- (2b) If at the first election of trustees by general vote at the nomination meeting no more candidates are nominated for office than the nine who are to be elected and those nominated are declared to be duly elected, the three of them who have the highest rateable assessments shall hold office for three years, the three of them who have the next highest rateable assessments shall hold office for two years and the remaining three of them shall hold office for one year, each of them, however, holding office until his successor is elected and takes office, and the amount of the rateable assessment of each of them shall be ascertained from the last revised assessment roll of the municipality.

Procedure on
tie vote.

- (2c) If at the first election of trustees by general vote under this section the third and fourth or the sixth and seventh of them in order of highest number of votes receive an equal number of votes that one of the third and fourth, or the sixth and seventh, respectively, who has the highest rateable assessment according to the last revised assessment roll of the municipality shall hold office for three years or two years, as the case may be, and until his successor is elected and takes office.

Rev. Stat.,
c. 323, s. 82,
subs. 1,
amended.

10. Subsection 1 of section 82 of *The Public Schools Act* is amended by adding at the commencement thereof the following words "unless a date for the first meeting has been decided upon by the board of the preceding year," so that the subsection shall now read as follows:

First
meeting of
board.

- (1) Unless a date for the first meeting has been decided upon by the board of the preceding year, every urban board shall hold its first meeting in each year on the third Wednesday in January at the hour of seven o'clock in the evening or at such other hour on the same day and at such place as may have been fixed by resolution of the former board, or, if no place has been so fixed, at the usual place of meeting of the council of the municipality.

Rev. Stat.,
c. 323, s. 83,
subs. 1,
amended.

11. Subsection 1 of section 83 of *The Public Schools Act* is amended by striking out the figure "4" in the first line and inserting in lieu thereof the figure "5."

12. Clause *u* of section 88 of *The Public Schools Act* is repealed. Rev. Stat., c. 323, s. 88, cl. *u*, repealed.

13. Section 92*a* of *The Public Schools Act* as enacted by section 3 of *The School Law Amendment Act, 1929*, is repealed and the following substituted therefor: Rev. Stat., c. 323, s. 92*a*, (1929, c. 84, s. 3), repealed.

92*a*.—(1) The board of a section or municipality may provide for the transportation of pupils residing in the section or municipality, as the case may be, to and from a continuation, high or vocational school situate elsewhere which such pupils have the right by law to attend, and for the purpose may co-operate with any other board. Transportation of resident pupils attending outside schools.

(2) The cost of providing transportation under section 92 or this section shall be an expense to be included in the estimates for the current year. Cost of transportation.

14. Subsection 1 of section 103 of *The Public Schools Act* is amended by adding at the end thereof the following words "and shall be executed before the teacher enters upon his duties," so that the said subsection shall now read as follows: Rev. Stat., c. 323, s. 103, subs. 1, amended.

(1) Every agreement between a board and a teacher shall be in writing, signed by the parties thereto and sealed with the seal of the board, and shall be executed before the teacher enters upon his duties. Execution of agreement with teacher.

15.—(1) Subsections 7 and 8 of section 2 of *The Continuation Schools Act* are repealed and the following substituted therefor: Rev. Stat., c. 325, s. 2, subs. 7 and 8 repealed.

(7) For the purposes of subsections 1 and 2 of section 109 of *The Public Schools Act* a continuation school established by one or more public school boards shall be deemed a public school, but in no case shall the township council or councils be required to levy a rate thereunder for grants towards the salaries of more than one principal and two assistant teachers in any continuation school. Township levy and teachers' salaries.

(8) Where a continuation school is established by one or more separate school boards, the amount to be levied shall be levied upon the supporters of separate schools established by such board or boards. Levy for school established by separate school board.

(2) Section 2 of *The Continuation Schools Act* is further amended by adding thereto the following subsections: Rev. Stat., c. 325, s. 2, amended.

County
representa-
tive for
school board.

- (9) Where a continuation school district lies wholly within a county, the council of the county shall have the right to appoint one member to the board of trustees which has the control and management of the continuation school, and where the continuation school district comprises parts of more than one county the council of each county shall have the right to appoint one member to the said board. Any or all of such additional members may reside in the county or counties to represent which he or they are appointed outside the continuation school district and such trustees shall hold office for two years and until their successors have been duly appointed and shall have all the duties, rights, powers and privileges of other members of the board in all matters relating to continuation schools.

County
representa-
tive not to
vote on
public school
matters.

- (10) A member of a board of a continuation school who is appointed by the county council shall not vote or otherwise take part in any of the proceedings of the board exclusively affecting the public school or schools which are under the control and management of such board.

Rev. Stat.,
c. 325,
amended.

- 16.** *The Continuation Schools Act* is amended by adding thereto the following section:

Application
of *The Public
Schools Act*.

14. Such of the provisions of *The Public Schools Act* in the case of a continuation school under the jurisdiction of a public school board as are applicable and are not inconsistent with this Act, shall be read as part of this Act.

Rev. Stat.,
c. 326, s. 46,
repealed.

- 17.** Section 46 of *The High Schools Act* is repealed and the following substituted therefor:

Which
school pupils
may attend.

46. A county pupil shall have the right to attend any high school aided by the council of the county in which he or his parent or guardian resides. A resident pupil shall have the right to attend the high school of the district in which he or his parent or guardian resides or is assessed for an amount equal to the average assessment of the ratepayers therein. A non-resident pupil may attend any high school at the discretion of the board.

Rev. Stat.,
c. 326, s. 53,
subs. 1
(1931,
c. 71, s. 12),
amended.

- 18.** Subsection 1 of section 53 of *The High Schools Act* as re-enacted by section 12 of *The School Law Amendment Act, 1931*, is amended by inserting after the word "board" in the third line the words "and shall be executed before the teacher

enters upon his duties," so that the subsection shall now read as follows:

- (1) Every agreement between a board and a teacher shall be in writing, signed by the parties thereto and sealed with the seal of the board and shall be executed before the teacher enters upon his duties, and unless otherwise expressly agreed, a teacher shall be entitled to be paid his salary in the proportion which the total number of days during which he has taught, bears to the whole number of teaching days in the year. ^{Teachers' agreements.}

19.—(1) The clause lettered *g* in section 1 of *The Teachers' and Inspectors' Superannuation Act* is amended by adding at end thereof the words "and an inspector of the Penny Savings Bank," so that the clause shall now read as follows: ^{Rev. Stat., c. 331, s. 1, cl. g, amended.}

- (*g*) "Inspector" shall mean a person qualified according to the regulations of the Department for the duties of his office and shall include a supervisor and a superintendent of education and an inspector of the Penny Savings Bank. ^{"Inspector"}

(2) *The Teachers' and Inspectors' Superannuation Act* is amended by adding thereto the following section: ^{Rev. Stat., c. 331, amended.}

- 2*a*.—(1) Notwithstanding anything in this Act, or any other Act contained as of the 1st day of November, 1932, the investments held for the Teachers' and Inspectors' Superannuation Fund in debentures or stock of the Province of Ontario shall be ascertained and together with such uninvested funds as are not required for current expenses shall be transferred to the Province of Ontario and the Lieutenant-Governor in Council may issue in exchange therefor debentures or Ontario Government stock having a par value equal to the par value of the debentures or stock transferred plus the uninvested funds transferred. The debentures or Ontario Government stock to be issued shall bear interest at the rate of four and three-quarters per centum per annum, payable half-yearly and shall be due and payable on the 1st day of November, 1942, and be a charge on the Consolidated Revenue Fund of Ontario. ^{Transfer of fund to the Province.}

- (2) In each of the next ten years the Province of Ontario shall issue debentures or stock for the surplus funds accumulated and which are not required for current expenses, such debentures or stock to mature on the 1st day of November, 1942, and bear interest ^{Issue of additional debentures until 1942.}

at the rate of four and three-quarters per centum per annum payable half-yearly.

Issue of
debentures
maturing
1982.

- (3) On the 1st day of November, 1942, the Treasurer of Ontario shall issue debentures or stock for all surplus funds in his hands as custodian of the Fund, and which are not required for current expenses (including the principal of debentures and stock maturing on that date) bearing interest at the rate of four and three-quarters per centum per annum, payable half-yearly and maturing on the 1st day of November, 1982.

Interest
rates for
each
decade.

- (4) On or before the 1st day of November, 1942, a rate of interest shall be agreed upon between the Commission and the Province, which shall be payable by the Province on the surplus funds accumulating in the ten years ending on the 1st day of November, 1952, and similarly at the beginning of each period of ten years thereafter a rate of interest shall be agreed upon which shall be paid by the Province on surplus funds accumulating during such period of ten years, or becoming due at the end of such ten year period.

Subsequent
debentures
every
decade.

- (5) In each period of ten years the Treasurer of Ontario shall issue debentures or stock for the amount of surplus funds accumulated from time to time and which are not required for current expenses, such debentures or stock to become due and payable on the last day of the ten year period, and to bear interest at the rate agreed upon at the beginning of the period as being applicable for that period.

Subsequent
issues of
40-year
debentures
at end of
decades.

- (6) At the end of each period of ten years the Treasurer of Ontario shall issue debentures or stock for the amount of surplus funds in his hands as custodian of the Fund, and which are not required for current expenditures and for the amount of the debentures or stock which shall have become due at the end of such period of ten years, bearing interest at the rate agreed upon as outlined in subsection 4 and becoming due and payable forty years after the date of issue.

Rev. Stat.,
c. 331,
amended.

- (3) *The Teachers' and Inspectors' Superannuation Act* is amended by adding thereto the following section:

Power to
designate
how
allowance
may be
applied.

- 5a.—(1) Subject to the regulations a teacher or inspector may in writing signed by him and deposited with the Commission, at least three years prior to the

date

date of his retirement from the profession, designate one of the following purposes to which any allowance payable to him upon retirement shall be applied, namely,—

- (a) In the purchase, out of the Fund, of an annuity payable to himself during his life-time and after his death to his widow or any dependent designated by him; or
- (b) In the purchase, out of the Fund, of a joint annuity for himself and his wife or any other dependents and the survivors or survivor of them.

- (2) A teacher or inspector may from time to time in writing signed by him and deposited with the Commission, at least three years prior to the date of his retirement from the profession, alter any designation made by him under subsection 1. Power to alter designation.

(4) *The Teachers' and Inspectors' Superannuation Act* is amended by adding thereto the following section: Rev. Stat., c. 331, amended.

- 7a. Where a doubt exists as to the right of a teacher or inspector to any benefit under this Act and the Commission has endeavoured to procure the necessary evidence and other particulars and finds that owing to the delay in making the application it has become impossible to ascertain the facts, the Minister may reject the application. Rejection of claims through delay.

20.—(1) Clause *d* of section 1 of *The School Attendance Act* is repealed and the following substituted therefor: Rev. Stat., c. 332, s. 1, cl. d, repealed.

- (d) "School" shall mean any school established under any statute, the administration and enforcement of which is vested in the Minister of Education. "School."

(2) The said section 1 is amended by adding thereto the following clause: Rev. Stat., c. 332, s. 1, amended.

- (e) "Guardian" in addition to having the meaning ascribed in law, shall mean and include any person who has received into his home another person's child under the age of fourteen years who is resident with him or in his care or legal custody. "Guardian."

21. Section 2 of *The School Attendance Act* as amended by section 23 of *The School Law Amendment Act, 1930*, is repealed and the following substituted therefor: Rev. Stat., c. 332, s. 2, repealed.

Children
to attend
school.

2. Except as provided in this Act, every child between eight and fourteen years of age shall in each year for the full term during which the school is open attend school in the school section or municipality in which he resides or other school which he is required or entitled by law to attend.

Rev. Stat.,
c. 332, s. 3,
repealed.

22. Section 3 of *The School Attendance Act* is repealed and the following substituted therefor:

Duty of
parent or
guardian.

3. Except as provided by this Act, it shall be the duty of the parent or guardian of every child between eight and fourteen years of age to have such child attend school as required by this Act.

Rev. Stat.,
c. 332, s. 4,
subs. 1, cl. e,
repealed.

23. Clause *e* of subsection 1 of section 4 of *The School Attendance Act* is repealed and the following substituted therefor:

When
attendance
excused.

- (e) the child has been excused by the school attendance officer as hereinafter provided.

Rev. Stat.,
c. 333, s. 1,
amended.

24. Section 1 of *The Adolescent School Attendance Act* is amended by adding thereto the following clause:

"Guardian."

- (e) "Guardian" in addition to having the meaning ascribed in law, shall mean and include any person who has received into his home an adolescent child of another person and which adolescent is resident with him or in his care or legal custody.

Rev. Stat.,
c. 333, s. 17,
repealed.

25. Section 17 of *The Adolescent School Attendance Act* is repealed and the following substituted therefor:

Duty of
attendance
officer.

17. It shall be the duty of a school attendance officer, appointed under the provisions of *The School Attendance Act* to enforce in his municipality the provisions of this Act and for such purpose he shall have and may exercise the powers conferred on him under *The School Attendance Act*.

Rev. Stat.,
c. 332.

Rev. Stat.,
c. 342, s. 5,
subs. 1, cl. a,
amended.

26.—(1) Clause *a* of subsection 1 of section 5 of *The College of Art Act* is amended by striking out the word "twelve" in the second line and inserting in lieu thereof the word "thirteen," so that the said clause shall now read as follows:

Appointees
of
Lieutenant-
Governor
in Council.

- (a) The Lieutenant-Governor in Council shall appoint thirteen members; and

(2) Clause *b* of subsection 1 of the said section 5 is amended Rev. Stat.,
c. 342, s. 5,
subs. 1, cl. b, by inserting after the word "Association" in the seventh line amended. the words "the Association of Canadian Advertising Agencies," so that the said clause shall now read as follows:

- (*b*) The Art Museum, the Ontario Society of Artists, the Appointees
of certain
bodies. Graphic Arts Society, the Applied Art Society, the Ontario Association of Architects, the Toronto Camera Club, the Women's Art Association, the Canadian National Exhibition, the Trades and Labour Council of the City of Toronto, the Canadian Manufacturers' Association, the Association of Canadian Advertising Agencies and the Senate of the University of Toronto shall each appoint one member.

27. This Act shall come into force on the day upon which Commence-
ment of Act. it receives the Royal Assent.

CHAPTER 43.

An Act respecting Industrial Farms.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Industrial Farms Act, 1932.*

Industrial farms in city or county.

2.—(1) The council of a county or of a city having a population of not less than 50,000 as shown by the last Dominion of Canada census, may pass by-laws for establishing, equipping and maintaining an industrial farm or industrial farms, which in the case of a city may be established within or without the limits of the city, and for acquiring the lands necessary for that purpose.

In provisional judicial districts.

(2) Industrial farms may be established in provisional judicial districts by the Lieutenant-Governor in Council.

Site and plans must be approved.

3. An industrial farm shall not be established until the site and plans for the buildings to be erected thereon have been approved by the Lieutenant-Governor in Council on the report of an officer authorized by the Lieutenant-Governor in that behalf, or the officer designated in accordance with subsection 1 of section 11 of *The Public Institutions Inspection Act, 1931.*

1931, c. 80.

Joint action by two or more municipal corporations.

4. In lieu of establishing separate industrial farms the councils of two or more counties or cities may, with the approval in writing of an officer authorized by the Lieutenant-Governor in that behalf, or the officer designated in accordance with subsection 1 of section 11 of *The Public Institutions Inspection Act, 1931*, enter into an agreement for the establishment, equipment and maintenance of, and may establish, equip and maintain an industrial farm.

Transfer from gaol to industrial farm.

5.—(1) Prisoners who are convicted of offences against any Act of this Legislature or against a municipal by-law, or who

may

may be lawfully committed for offences against the criminal law, may be transferred on a warrant of an officer authorized by the Lieutenant-Governor in that behalf, or the officer designated in accordance with subsection 1 of section 11 of *The Public Institutions Inspection Act, 1931*, from any common or district gaol, or from any other place of legal custody, to an industrial farm.

(2) A male prisoner in an industrial farm whose sentence has not expired, may be transferred to an Ontario reformatory or to the gaol of the county or district in which he was sentenced, or to any other industrial farm or gaol, upon the warrant of the officer as provided in subsection 1 of section 5 of this Act; and the said officer may also direct the removal of any female prisoner in an industrial farm to the Andrew Mercer Reformatory for Females or to an industrial refuge for females or to the gaol of the county or district in which she was sentenced.

6. The superintendents, guards, clerks, accountants, engineers and all other officers and employees of industrial farms shall be appointed by the Lieutenant-Governor in Council upon the report of the officer designated in accordance with subsection 1 of section 11 of *The Public Institutions Inspection Act, 1931*, and shall be paid such salaries by the county or city or authority establishing and maintaining such farms as shall be prescribed from time to time by the Lieutenant-Governor in Council; provided that in any industrial farm for male prisoners established and equipped by the corporation of a city of over 100,000 persons, the corporation of the said city may appoint one engineer and one steward, but if such appointments are made the said engineer and the said steward shall be subject to the same discipline and the same rules and regulations as any other officer or employee of such farm.

7.—(1) The council of a county or city which has established an industrial farm or industrial farms may from time to time enter into an agreement or agreements for connecting the industrial farm or industrial farms with the sewerage system of any municipal corporation and may pass all by-laws and do all things necessary to carry the agreement or agreements into effect.

(2) Such council of a county or city may contract with the Hydro-Electric Power Commission of Ontario or with any municipal corporation, company, firm or individual, owning or operating a waterworks system or works for the production and supply of electricity for light, heat or power, for the supply of water for domestic purposes and for fire protection,

or for the supply of electricity for light, heat or power purposes at the industrial farm or industrial farms.

Power to carry necessary works over intervening lands.

(3) For the purpose of connecting such industrial farm or industrial farms with such sewerage or waterworks system or electrical works, the corporation of such county or city, its officers, servants, agents or workmen may enter upon and pass over any lands or highways lying between such industrial farm or industrial farms and the points of connection, and may dig up such lands and highways and construct sewers and lay down pipes and place all necessary poles, wires and appliances and do all necessary work in or upon such lands and highways, making due compensation to the owners as provided by *The Municipal Act*.

Rev. Stat., c. 233.

Powers of corporations establishing a joint industrial farm.

(4) Where two or more such counties or cities have established a joint industrial farm or industrial farms they shall have in respect to such industrial farm or industrial farms, all the powers conferred upon the council of a county or city by this section.

Assent of electors not required to by-law establishing industrial farm.

8. It shall not be necessary to obtain the assent of the electors to a by-law for raising such moneys as may be required for the establishment, equipment and maintenance of an industrial farm or for the acquiring of lands required for that purpose.

Rules and regulations.

9. The Lieutenant-Governor in Council upon the recommendation of an officer as provided in subsection 1 of section 11 of *The Public Institutions Inspection Act, 1931*, may make rules and regulations for the management, discipline, government and control of an industrial farm and prescribing the requirements to be observed in keeping the buildings, plants and machinery in repair.

Power to compel inmates to work.

10. Rules and regulations made under the authority of this Act may provide for requiring every prisoner committed to an industrial farm to perform such work or services at such time, for such hours and at such trade or labour as may be deemed advisable, and for buying material therefor, and for selling or otherwise disposing of the articles manufactured or produced therefrom.

Cost of maintenance of industrial farm.

11.—(1) Except where otherwise provided by agreement the cost of the maintenance of an industrial farm, as referred to in subsection 1 of section 2 of this Act, including the salaries of the superintendent and the officers and employees thereof, and of the persons committed or transferred to it, and all other expenses incidental thereto, shall be borne and paid in the same manner and by the same county or city and

the Province in the same proportion as if the industrial farm were a common gaol under *The Administration of Justice Expenses Act*. Rev. Stat., c. 126.

(2) In the case of a joint industrial farm the counties or cities by which it is established shall provide, by agreement, the proportions in which the costs and expenses mentioned in subsection 1 shall be borne by them respectively, and by which of them such costs and expenses shall be paid in the first instance, and the terms of such agreement may be varied from time to time as occasion may require, and if the corporations are unable to agree as to the variation, the same shall be determined by arbitration under *The Municipal Act*, but no such variation, except by agreement, shall be made more often than once in every five years. In case of joint farms.

(3) The cost of the establishment, equipment and maintenance of an industrial farm in a provisional judicial district, as referred to in subsection 2 of section 2, shall be borne and paid by the Province. Cost of maintenance in provisional judicial district.

12. The superintendent of every industrial farm shall, during the first week of each calendar month, transmit by registered post to the officer designated in accordance with subsection 1 of section 11 of *The Public Institutions Inspection Act, 1931*, a report showing the number of prisoners admitted, discharged, paroled and deceased in the industrial farm during the preceding month, on the form prescribed by the said officer, together with such other particulars as he may require. Monthly reports by superintendent.

13. *The Industrial Farms Act*, being chapter 350 of the Revised Statutes of Ontario, 1927, and section 24 of *The Statute Law Amendment Act, 1931*, are repealed. Rev. Stat., c. 350; 1931, c. 23, s. 24, repealed.

14. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 44.

An Act to amend The Apprenticeship Act, 1928.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. 1. This Act may be cited as *The Apprenticeship Act, 1932*.

1928, c. 25, s. 2, cl. b (1931, c. 36, s. 2); cl. c, repealed. 2.—(1) The clause lettered *b* as re-enacted by section 2 of *The Apprenticeship Act, 1931*, and the clause lettered *c* in section 2 of *The Apprenticeship Act, 1928*, are repealed and the following substituted therefor:

"Employer" (b) "Employer" shall mean and include any person, firm or corporation, or municipal, provincial, or other public authority employing mechanics, helpers, labourers, apprentices, or other employees in connection with any of the designated trades or work incidental to these trades;

"Inspector" (c) "Inspector" shall mean inspector of apprenticeship appointed under this Act and shall include the Chief Inspector.

1928, c. 25, s. 2, amended. (2) Section 2 of *The Apprenticeship Act, 1928*, as amended by section 2 of *The Apprenticeship Act, 1931*, is further amended by adding thereto the following clause:

"Board." (aa) "Board" shall mean the Provincial Apprenticeship Board appointed under this Act.

1928, c. 25, s. 4, subs. 1, repealed. 3. Subsection 1 of section 4 of *The Apprenticeship Act, 1928*, is repealed and the following substituted therefor:

Petition to have trade included in Sched. A. (1) Upon receiving a petition signed by at least twenty-five employers in any trade or by not less than twenty per centum of such employers, where the total number in the Province does not exceed one hundred and twenty-five, asking to have such trade added to

Schedule "A," the Board shall direct the Chief Inspector to enquire into the matter of the petition and he shall make such investigation as may be deemed necessary to determine whether or not such trade shall be added to Schedule "A."

4. Section 5 of *The Apprenticeship Act, 1928*, is repealed and the following substituted therefor: 1928, c. 25, s. 5, repealed.

5.—(1) For the purpose of this Act, the Lieutenant-Governor in Council may appoint a Provincial Apprenticeship Board to be composed of three members, one of whom shall be designated as chairman. Provincial Apprenticeship Board.

(2) The Lieutenant-Governor in Council may appoint a Chief Inspector of Apprenticeship for the purpose of carrying out the provisions of this Act and may also appoint such other officers, inspectors, or clerks as may be deemed expedient. Appointment of Chief Inspector of Apprenticeship and Staff.

5.—(1) Section 6 of *The Apprenticeship Act, 1928*, is amended by striking out the first two lines in the said section and inserting in lieu thereof the words "Subject to the regulations it shall be the duty of the Chief Inspector.—" 1928, c. 25, s. 6, amended.

(2) The clause lettered *e* in the said section 6 is repealed and the following substituted therefor: 1928, c. 25, s. 6, cl. e, repealed.

(*e*) to provide such information as may be required by the Board.

6.—(1) Subsections 1 and 2 of section 9 of *The Apprenticeship Act, 1928*, are repealed and the following substituted therefor: 1928, c. 25, s. 9, subs. 1 and 2 repealed.

(1) Every contract of apprenticeship shall be in the form prescribed by the Board and shall be approved by the Board before being registered. Form of contract.

7. Sections 10 and 11 of *The Apprenticeship Act, 1928*, are repealed and the following substituted therefor: 1928, c. 25, ss. 10, 11, repealed.

10. Where a minor has been employed under a contract of apprenticeship in any designated trade prior to the date of the commencement of this Act or the date on which the trade was added to Schedule A, such contract shall within three months after the said date be registered at the office of the Chief Inspector, but such contract shall in other respects be regarded as if this Act had not been passed. Minor employed under contract prior to commencement of Act.

Minor
employed
without
contract at
commence-
ment of Act.

11. Where a minor is employed as an apprentice in a designated trade, but not under a contract, the provisions of this Act shall in relation to any unexpired period of such apprenticeship apply as from the expiry of three months after the date on which the trade was added to Schedule A and the period during which any such minor was employed as an apprentice may, with the approval of the Board, be allowed as part of the time required to complete the full period of apprenticeship.

1928, c. 25,
s. 13,
repealed.

8. Section 13 of *The Apprenticeship Act, 1928*, is repealed.

1928, c. 25,
s. 15,
repealed.

9. Section 15 of *The Apprenticeship Act, 1928*, is repealed and the following substituted therefor:

Termina-
tion of
contract.

15. Subject to the approval of the Board, a contract of apprenticeship may be terminated by mutual agreement of all parties thereto, or it may be cancelled by the Chief Inspector, provided good and sufficient reason is adduced by the employer or apprentice or his guardian, and the fact of termination or cancellation shall be endorsed by the Chief Inspector upon the copy of the contract registered in his office.

1928, c. 25,
s. 16,
repealed.

10. Section 16 of *The Apprenticeship Act, 1928*, is repealed and the following substituted therefor:

Transfer
of contract.

16. Where the terms of a contract of apprenticeship cannot be fulfilled the Inspector may arrange for the transfer of the apprentice to another employer but such transfer shall not be regarded as completely effected until it has been approved by the Board and registered.

1928, c. 25,
s. 16a,
(1930, c. 21,
s. 20, subs.1),
repealed.

11. Section 16a of *The Apprenticeship Act, 1928*, as enacted by subsection 1 of section 20 of *The Statute Law Amendment Act, 1930*, is repealed.

1928, c. 25,
s. 17,
repealed.

12. Section 17 of *The Apprenticeship Act, 1928*, as amended by subsection 2 of section 20 of *The Statute Law Amendment Act, 1930*, is repealed and the following substituted therefor:

Regulations.

17. Subject to the approval of the Lieutenant-Governor in Council, the Board may make regulations:

- (a) prescribing the period or periods of apprenticeship, the qualifications upon which apprenticeship may commence in any designated trade, the standard of education for the

apprentice,

apprentice, the nature and number of educational classes to be attended by the apprentice, the course of training to be given the apprentice in a designated trade, the number of apprentices that may be employed by an employer in a designated trade, the issuance of a certificate to an apprentice who has completed his term of service, and the hours of labour and rates of wages for apprentices;

- (b) fixing the rate of assessment and governing the manner of making the assessment provided for in section 21*a* and the collection and distribution of same;
- (c) providing for the establishment for any defined area of an apprenticeship committee or committees, in one or more designated trades to advise the Board on all matters connected with the conditions governing apprenticeship within that area;
- (d) prescribing the powers, duties and functions of apprenticeship committees, and specifying the number and qualifications of the members thereof;
- (e) governing the procedure of an apprenticeship committee at its meetings and the time and place of such meetings;
- (f) providing for books, records and forms to be used by an apprenticeship committee;
- (g) generally such other matters as may be necessary for the proper carrying out of the provisions of this Act.

17*a*.—(1) The Board shall have authority to hold such conferences and make such enquiries as may be deemed necessary to determine the opinions and wishes of employers and employees in the designated trades regarding suggested changes and amendments in the Act and regulations, which may arise from time to time.

Board
authorized
to hold conferences,
etc.

(2) No change in the Act or regulations affecting any designated trade shall be made without serving written notice upon representative organizations of employers or employees in such trades, or, where no such organizations exist, upon at least ten

Representative organizations to be notified of proposed changes in Act or regulations.

representative

representative individuals in various parts of the Province, at least one month before the proposed change is to go into effect and providing opportunity for representatives of such employers and employees to meet the Board for a full discussion of the proposed changes.

Suggested
amendments
to be
submitted
to Board.

- (3) All suggestions or recommendations in connection with amendments to the regulations shall be submitted in writing to the Board through the Chief Inspector and where such requests come from ten or more employers or employees, the Board shall provide an opportunity for representatives of such petitioners to meet the Board within one month after submitting the recommendations.

Meetings
of Board.

- (4) (a) Meetings of the Board shall be held on the call of the Chief Inspector who shall act as secretary to the Board.

Members—
term of
office

- (b) The members shall serve for a period of one year, but shall be eligible for reappointment.

Quorum.

- (c) The presence of two members of the Board shall constitute a quorum.

Non-attend-
ance at
meetings.

- (d) If a member of the Board fails to attend two successive meetings of the Board without due cause he shall be notified of such absence and if he fails to attend the third meeting his position on the Board may be declared vacant and his successor duly appointed.

1928, c. 25,
s. 18,
repealed.

- 13.** Section 18 of *The Apprenticeship Act, 1928*, is repealed.

1928, c. 25,
s. 20,
repealed.

- 14.** Section 20 of *The Apprenticeship Act, 1928*, is repealed and the following substituted therefor:

Expenses
of Board.

20. The members of the Board shall serve without remuneration but the Lieutenant-Governor in Council may fix an allowance to be payable to such members on their attendance at meetings, and all reasonable and necessary travelling and living expenses and all other expenses incurred by the Board in carrying out the provisions of this Act, shall when approved by the Minister, be payable out of such sums as may from time to time be appropriated by the Legislature for that purpose.

1928, c. 25,
amended.

- 15.** *The Apprenticeship Act, 1928*, is amended by adding thereto the following section:

- 21a.—(1) To defray the cost of maintaining a system of apprenticeship, the Board may require employers in any designated trade to contribute annually or otherwise such sums as may be specified in the regulations. Employers assessable for cost of system.
- (2) If an assessment or any part of an assessment is not paid within the specified time, the employer shall be liable to pay as penalty for such default, five per centum of the amount for which he is in default; and if a further month or more elapses before payment is made, an additional charge of one per centum of the amount remaining unpaid shall be made for each month or fraction of a month during which the default continues. Penalty for default in payment of assessment.
- (3) Where payment of the whole or any part of the assessment is overdue, the Board may issue a certificate stating that the assessment was made, the amount remaining unpaid, the person or corporation by whom it was payable and such certificate or copy of it certified by a member of the Board to be a true copy may be filed with the clerk of any county or district court, or where the amount remaining unpaid does not exceed \$200, with the clerk of any division court, and when so filed, shall become an order of the court and may be enforced as a judgment of the court against such person or corporation, for the amount mentioned in the certificate. Certificate of assessment, filing of
- (4) Subsections 2 and 3, being regulations adopted by Order-in-Council dated the 20th day of August, 1930, shall be deemed to have been in force and had effect as from the 20th day of August, 1930. Subss. 2 and 3, retro-active.
- 16.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 45.

An Act to amend The Embalmers and Funeral Directors Act, 1928.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Embalmers and Funeral Directors Act, 1932*.

1928,
c. 31, s. 3,
subs. 1,
amended.

2.—(1) Subsection 1 of section 3 of *The Embalmers and Funeral Directors Act, 1928*, is amended by striking out the word “five” in the third line and inserting in lieu thereof the word “three,” so that the subsection shall now read as follows:

Board of
examiners.

(1) The Lieutenant-Governor in Council may appoint a Board to be known as the “Board of Examiners” consisting of three qualified funeral directors who shall hold office for such term and be paid such fees or other remuneration as may be determined by the Lieutenant-Governor in Council.

1928,
c. 31, s. 3,
subs. 3,
amended.

(2) Subsection 3 of the said section 3 is amended by striking out the words “Any three” at the commencement of the said subsection and inserting in lieu thereof the word “Two,” so that the subsection shall now read as follows:

Quorum.

(3) Two members of the Board shall constitute a quorum.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 46.

An Act to amend The Old Age Pensions Act, 1929.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Old Age Pensions Act, 1932*. Short title.
2. Section 3 of *The Old Age Pensions Act, 1929*, is amended ^{1929,} by inserting the words "or more" after the words "one-half" ^{c. 73, s. 3,} amended. in the seventh line, so that the section shall now read as follows:
 3. The Lieutenant-Governor in Council may enter into an agreement with the Governor-General in Council as to a general scheme of old age pensions in the Province pursuant to the provisions of any Act of the Dominion heretofore or hereafter passed relating to old age pensions, and the regulations made thereunder, and for the payment by the Dominion to the Province quarterly of an amount equal to one-half or more of the net sum paid out during the preceding quarter by the Province for old age pensions pursuant to the provisions of this Act. ^{Agreement with Dominion Government authorized.}
3. Section 5 of *The Old Age Pensions Act, 1929*, is repealed ^{1929,} and the following substituted therefor: ^{c. 73, s. 5 repealed.}
5. An application for a pension under this Act shall be ^{Application for pension.} made in the first instance to the local authority in such manner and accompanied by such proofs as the regulations may require, and the local authority shall make its recommendation in writing upon each application to the Commission and the decision of the Commission shall be final and binding, but the Commission may reconsider any decision and may rescind, alter or amend any order, direction or ruling previously made by it under the authority of this Act.

1929,
c. 73, s. 7,
subs. 3,
amended.

4. Subsection 3 of section 7 of *The Old Age Pensions Act, 1929*, is amended by striking out the words "twenty per centum" in the fourth line and inserting in lieu thereof the words "ten per centum," so that the subsection shall now read as follows:

Amount of
contribution.

(3) Every municipal corporation named by the Commission as a contributor under this section shall at such intervals and upon such dates as may be fixed by the regulations pay to the Treasurer of Ontario an amount equal to ten per centum of the pension, and every such amount shall be a debt due to the Crown from the corporation and recoverable with costs by action at the suit of the Treasurer of Ontario.

1929,
c. 73, s. 14,
amended.

5. Section 14 of *The Old Age Pensions Act, 1929*, is amended by striking out the words "The Lieutenant-Governor in Council may make regulations" at the commencement of the said section and inserting in lieu thereof the words "The Lieutenant-Governor in Council, upon the recommendation of the Minister, may make regulations."

Commence-
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 47.

An Act to amend The Transportation
of Fowl Act, 1929.*Assented to March 29th, 1932.*

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Transportation of Fowl Act*, Short title. 1932.

2.—(1) Section 4 of *The Transportation of Fowl Act, 1929*, is amended by striking out the words "under the hand of the warden and countersigned by the clerk under the corporate seal of the county" in the third and fourth lines and inserting in lieu thereof the words "by the clerk of the county," and by striking out the word "warden" in the seventh line and inserting in lieu thereof the word "clerk," so that the section shall now read as follows:

4. No person shall carry or transport fowl on any highway in Ontario unless he holds a permit for that purpose granted by the clerk of the county in which he resides or carries on business, and where he does not reside or carry on business in any county in Ontario unless he holds such a permit granted by the clerk of that county in Ontario nearest to his place of residence or business. Permit required for transportation of fowl.

(2) The said section 4 is further amended by adding thereto the following subsection: 1929, c. 79, s. 4, amended.

(2) In unorganized territory a permit required under this Act shall be granted by the clerk of the municipality in which the person requiring the same resides or carries on business or where he resides or carries on business in territory without municipal organization he may obtain the necessary permit from the clerk of the municipality nearest to his place of residence or business. In unorganized territory.

1929,
c. 79, s. 5,
repealed.

3. Section 5 of *The Transportation of Fowl Act, 1929*, is repealed and the following substituted therefor:

Clerk to
issue
permits.

5.—(1) The clerk may grant such permits without the passing of any by-law for that purpose by the council and may revoke any permit granted and shall have the same discretion as to the granting or refusing to grant or the revoking of permits as the council has with reference to licenses under *The Municipal Act*.

Rev. Stat.,
c. 233.

Fee.

(2) The fee for the permit shall be \$1 and shall belong to the county or municipality as the case may be.

Commence-
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 48.

An Act to amend The Assignment of Book Debts Act, 1931.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Assignment of Book Debts Act, 1932.* Short title.

2. Section 3 of *The Assignment of Book Debts Act, 1931*, is ^{1931, c. 35,} amended by striking out the clause lettered *a* in the said section ^{s. 3, cl. *a*,} and its subclauses and inserting in lieu thereof the following ^{repealed.} clause:

- (*a*). Any assignment of book debts, whether by way of specific or floating charge, made by a corporation engaged in a trade or business within the Province and contained,—
- (i) in a trust deed or other instrument to secure bonds, debentures or debenture stock of the corporation or of any other corporation; or
- (ii) in any bonds, debentures, or debenture stock of the corporation as well as in the trust deed or other instrument securing the same, or in a trust deed or other instrument securing bonds, debentures or debenture stock of any other corporation; or
- (iii) in any bonds, debentures or debenture stock or any series of bonds or debentures of the corporation not secured by a separate instrument.

3. The clause lettered *c* in subsection 1 of section 5 of *The Assignment of Book Debts Act, 1931*, is repealed and the following substituted therefor: ^{1931, c. 35,} ^{s. 5, subs. 1,} ^{cl. *c*,} ^{repealed.}

- (c) Where the assignor is an extra-provincial corporation not having a head office or registered office within Ontario, in the office of the clerk of the county court of the county of York at Toronto.

1931, c. 35,
amended.

4. *The Assignment of Book Debts Act, 1931*, is amended by adding thereto the following section:

1932, c. 50,
not
affected.

19a. This Act shall not apply to any instrument registered under *The Corporations Securities Registration Act, 1932*.

Commence-
ment of Act.

5. This Act shall come into force on a day to be named by The Lieutenant-Governor by his Proclamation.

CHAPTER 49.

An Act to give further Power to Courts with respect to the Recovery of Money Secured by Mortgage and Similar Matters.

Assented to March 4th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Mortgagors' and Purchasers' Short title, Relief Act, 1932.*

2.—(1) "Judge" shall mean the Master in the county of York, and in any other county or district, the local judge of the Supreme Court. "Judge",—
meaning of.

(2) No person shall,—

Proceedings
not to be
taken with-
out leave.

- (a) take or continue proceedings by way of foreclosure or sale or otherwise, or proceed to execution on or otherwise to the enforcement of, any judgment or order of any court, whether entered or made before or after the passing of this Act, for the recovery of principal money secured by any mortgage of land or any interest therein made or executed prior to the passing of this Act; Foreclosure
sale, etc.
- (b) take or continue any proceedings under any power of sale, or levy any distress, or take, resume or enter into possession of any land or interest therein for the recovery of principal money under any power contained in a mortgage of land, or of any interest therein, executed prior to the passing of this Act; Exercise of
power of
sale,—
possession,
etc.
- (c) declare or take advantage of the forfeiture of any land or of any right or interest acquired therein or of any sum of money paid for or on account of the purchase money of such land or of any interest therein, or by way of deposit or otherwise, under the terms of a contract for sale or purchase made or entered into prior to the passing of this Act; Forfeiting
purchase
money or
deposit.

(d)

Proceedings
against
mortgagor,
etc.,
personally.

- (d) take or continue any proceedings for the recovery of any part of the principal money secured by mortgage or payable as part of the purchase money of any land or any interest therein payable by the purchaser or mortgagor or by any other person as principal or guarantor or otherwise upon any covenant or agreement as principal or guarantor or otherwise, whether express or implied, made or entered into prior to the passing of this Act, or enforce by execution or other process any judgment obtained in respect of any such covenant or agreement;

Leave
required.

except by leave of a judge granted upon application as hereinafter provided; provided also that any action or proceeding whether in or out of court which has been taken between the 1st day of February, 1932, and the day on which this Act receives the Royal Assent may upon leave of the judge, as provided by this Act, be continued.

Application.

(3) The application shall be upon originating notice in accordance with the practice of the Supreme Court and shall be made:

To Master or
local judge.

- (a) in every case in which it is sought to commence or continue proceedings in the Supreme Court, in the county of York to the Master, and in any other county or in a district to the local judge of the Supreme Court sitting in chambers;

Where
proceedings
not in court.

- (b) in every case in which it is sought to exercise some right or remedy or take any proceeding or do any act out of court in the county of York to the Master, and in any other county or in a district to the local judge of the Supreme Court;

To judge of
district or
county
court.

- (c) in every case in which it is sought to take or continue proceedings in a county, district or division court, to the judge of the proper county, district or division court.

Forfeiture
not to take
effect until
order made.

3.—(1) Subject to the provisions hereinafter contained, no forfeiture of any interest acquired under a contract for the sale or purchase of land or any interest therein, given, made or entered into prior to the passing of this Act shall take effect or be deemed to have taken effect until after an order made by a judge as provided for in section 2.

Postpone-
ment of
mortgage
payments
not to affect
agreement
for partial
discharges.

(2) Subject to the provisions hereinafter contained no principal money secured or payable by any mortgage of or contract for purchase or sale of land, made or entered into

prior

prior to the passing of this Act, shall be deemed to be due or in default so as to affect or make inoperative any provisions therein for discharging, releasing or conveying any portion or portions of the land thereunder in accordance with the terms or provisions therefor in such mortgage or contract contained, the operation of such provisions being hereby extended so long as the payment of such principal is not enforceable under the provisions of this Act; provided, however, that should the vendor or mortgagee claim a readjustment of the amount to be paid for a discharge, release or conveyance of one or more portions in order to ensure sufficient security for the amount of principal remaining unpaid, upon failure to agree thereon such claim shall be settled by the judge.

4.—(1) Subject to the provisions hereinafter contained, ^{Exceptions.} sections 2 and 3 shall not apply to any contract for sale or purchase or to any mortgage made or entered into after the passing of this Act, or to any extension or renewal made or entered into after the passing of this Act of a mortgage made or entered into prior to that date where such extension or renewal is for not less than three years and the rate of interest provided for in the original mortgage is not increased by such extension or renewal, nor to the proceedings taken for the recovery of interest (including arrears of interest which may under the terms of any such mortgage or extension or renewal have been or may be added to the principal money secured thereby) or rent or taxes or insurance or other disbursements for which the mortgagor was liable in the first instance, and as to which he is in default, nor to any proceedings or act done by a mortgagee in possession on the day of the passing of this Act with respect to the land or interest in land of which he is the mortgagee, nor to proceedings taken for the recovery of interest, taxes or insurance or other disbursements payable by the mortgagor in the first instance under a mortgage and paid or tendered on his default by the holder of a subsequent mortgage of the same lands.

(2) Nothing in this Act shall apply to or affect any right or remedy now exercisable for the enforcement of any mortgage or other security of a like nature made or entered into for the purpose of securing the bonds or debentures of any corporation, but the holders of any such bonds or debentures, and any trustee for them, or the mortgagee named in any such mortgage as trustee or otherwise shall have and may exercise any such right or remedy whether the same is conferred by the general law or acquired under any such mortgage or other security as fully and effectually as if this Act had not been passed. ^{Exception as to mortgage to secure bonds of corporation.}

Remedies reserved in excepted cases.

(3) Where default is made in payment of interest, rent, taxes, insurance or other disbursements which the mortgagor or purchaser has covenanted or undertaken to pay, the mortgagee or vendor, his assignee or personal representative shall have the same remedies, and may exercise them to the same extent, and the consequences of such default shall in all respects be the same as if this Act had not been passed, but where such interest, rent, taxes or other disbursements are paid into court or tendered to the mortgagee, vendor, assignee or personal representative he shall not continue any proceedings already commenced by him without the order required by section 2 or by section 3, as the case may be, except that in the case of the money being paid into court the plaintiff shall, if he so elects, have the right to take the money out of court and tax the costs of the proceedings as provided by the Consolidated Rules of Practice in an ordinary action; and in the case of the money being tendered the mortgagee or vendor or his assignee or personal representative shall be entitled to be paid costs of the proceedings already taken, the amount of such costs if not agreed upon to be taxed by the taxing officer of the Supreme Court in the county where the person taking the proceedings resides.

Powers of judge on application.

5.—(1) On any application the judge may grant the leave applied for, or if he is of opinion that time should be given to the person liable to make any payment, the judge may, in his absolute discretion, after considering all the circumstances of the case and the position of all the parties, by order refuse to permit the exercise of any right or remedy, or may stay execution or postpone any forfeiture as the case may be, for such time and subject to such conditions as he thinks fit.

Service of notices.

(2) The judge may give directions as to the service of notice of the hearing of the application upon any person whom he deems a proper party to the proceedings, and may adjourn the hearing for that purpose, or he may dispense with service of the notice of the application upon any party who appears to have abandoned his interest in the property if the judge considers that service of the notice would occasion useless or unnecessary expense or delay.

Evidence on application.

6. It shall not be necessary to support any such application by affidavit or other evidence, except such evidence, if any, as may be necessary to show the nature and extent of the relief required, but if any contest arises between the parties the judge to whom the application is made may make such requirements or give such directions as to evidence on the part of any party as the judge may deem proper.

Terms of order.

7. The order may provide for the giving of any under-

taking,

taking, or the deposit in court or otherwise of any security, or the appointment of a receiver or the granting of an injunction.

8. The costs of the application shall be in the discretion of ^{Costs,} the judge, who shall fix the amount of the same, and by whom they shall be paid, and he may direct that they be added to the mortgage or other debt, but in the case of any mortgage or other contract on which there is owing less than \$3,000 the costs shall not be fixed at a greater amount than \$15.

9. An order made under this Act may, if subsequent cir- ^{Reviewing,} cumstances render it just so to do, be suspended or discharged ^{varying, etc.,} or otherwise varied or altered upon application to a judge or local judge of the Supreme Court, or to the judge of the proper county or district or division court as the case may be. ^{order.}

10. Where an action or other proceeding has been taken ^{Order of} in court upon a mortgage or contract to which section 2 applies ^{judge at} upon the trial of any issue arising in the action or proceedings, the judge, whether an application or order has or has not been made as provided by section 2, may exercise the discretion and make the order provided for by that section or by section 5. ^{trial.}

11. The powers conferred by this Act shall be in addition ^{Powers} to and not in derogation of any other powers of the court. ^{under Act} ^{to be} ^{additional.}

12. The powers of the Supreme Court to prescribe rules ^{Rules.} shall apply to the making of rules for carrying into effect the provisions of this Act and for regulating the practice and procedure under it where the same are not regulated by the existing rules.

13. The provisions of this Act shall apply to any actions ^{Application} or proceedings which are taken in any court in Ontario, ^{of Act.} notwithstanding that the lands in question in the action or proceeding are situate without Ontario or the agreement or mortgage or other contract was made and entered into outside Ontario.

14. The Lieutenant-Governor in Council may at any time ^{Duration} terminate the operation of this Act or provide that this Act ^{of Act.} shall have effect subject to such limitations as may be contained in the Order-in-Council, but subject to the operation of such Order-in-Council this Act shall have effect as from the 1st day of February, 1932, and shall remain in force until the expiration of thirty days from the close of the next Session of the Legislature.

CHAPTER 50.

An Act to make Uniform the Law respecting
Registration of Corporation Securities.*Assented to March 29th, 1932.*

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Corporation Securities Registration Act, 1932.*

Inter-
pretation.

2. In this Act, unless the context otherwise requires:—

“Assignment
of book
debts.”

(a) “Assignment of books debts” shall include every legal or equitable assignment by way of security of, and every mortgage or other charge upon book debts;

“Assignor.”

(b) “Assignor” shall mean any corporation making an assignment of book debts;

“Book
debts.”

(c) “Book debts” shall mean all such accounts and debts, whether existing or future, as in the ordinary course of business would be entered in books, whether actually entered or not, and includes any part or class thereof;

“Chattels.”

(d) “Chattels” shall mean goods and chattels capable of complete transfer by delivery, and includes when separately assigned or charged, fixtures and growing crops; but does not include chattel interests in real property or fixtures when assigned together with a freehold or leasehold interest in any land or building to which they are affixed; or growing crops, when assigned together with any interest in the land on which they grow; or a ship or vessel registered under the provisions of the *Canada Shipping Act* or the *Merchant Shipping Act, 1894*, and amending Acts or any share in such ship or vessel; or shares or interests in the stock, funds or securities of a government, or in the capital of a corporation, or book debts or other choses in action;

R.S.C.,
c. 186.

(e)

- (e) "Corporation" shall include a company, corporation^{"Corporation."} or body corporate wherever or however incorporated;
- (f) "Creditors" shall mean creditors of the mortgagor or^{"Creditors."} assignor, whether execution creditors or not, who become creditors before the registration of the mortgage, charge or assignment, and, for the purpose of enforcing the rights of such creditors but not otherwise, shall include a creditor suing on behalf of himself and other creditors, an assignee for the general benefit of creditors, a trustee under *The Bankruptcy Act* and a liquidator of a company under the *Winding Up Act of Canada* or under a provincial Act containing provisions for the winding up of companies, without regard to the time when the creditor so suing becomes a creditor or when the assignee, trustee or liquidator is appointed;^{R.S.C., cc. 11, 213.}
- (g) "Mortgagor" shall include a corporation which executes a charge and "mortgagee" shall include a^{"Mortgagor," "Mortgagee."} person in whose favour a charge is created;
- (h) "Subsequent purchasers or mortgagees" shall include^{"Subsequent purchasers or mortgagees."} any person who obtains, whether by way of purchase, mortgage, charge or assignment, an interest in chattels or book debts which have already been mortgaged, charged or assigned.

3.—(1) Every mortgage and every charge, whether specific^{Instruments to be registered.} or floating, of chattels in the Province created by a corporation, and every assignment of book debts, whether by way of specific or floating charge, made by a corporation engaged in a trade or business in the Province and contained:

- (a) in a trust deed or other instrument to secure bonds, debentures or debenture stock of the corporation or of any other corporation; or
- (b) in any bonds, debentures or debenture stock of the corporation as well as in the trust deed or other instrument securing the same, or in a trust deed or other instrument securing the bonds, debentures or debenture stock of any other corporation; or
- (c) in any bonds, debentures or debenture stock or any series of bonds or debentures of the corporation not secured by a separate instrument,

shall be absolutely void as against creditors of the mortgagor or assignor, and as against subsequent purchasers or mort-

gagees from or under the mortgagor or assignor, in good faith, for valuable consideration and without notice, unless it is duly registered, and unless, if contained in a trust deed or other instrument to secure bonds, debentures or debenture stock, it complies with the provisions of subsection 2.

Affidavit
of
bona fides.

(2) If the mortgage, charge or assignment is contained in a trust deed or other instrument to secure bonds, debentures or debenture stock, the instrument containing it shall be accompanied by an affidavit of the mortgagee, trustee, or grantee or one of the mortgagees, trustees or grantees, his or their agent, or, if the mortgagee, trustee or grantee is a corporation, of any officer or agent of the corporation, stating that the instrument containing the mortgage, charge or assignment was executed in good faith and for the purpose of securing payment of the bonds, debentures or debenture stock referred to therein and not for the mere purpose of protecting the chattels or book debts therein mentioned against the creditors of the mortgagor or assignor or preventing such creditors from obtaining payment of any claim against the mortgagor or assignor.

When
charge to
take effect.

(3) A mortgage, charge or assignment required to be registered under this Act shall, as against creditors and the subsequent purchasers or mortgagees referred to in subsection 1, take effect only from the time of its registration.

Registra-
tion,—
mode of

4.—(1) Registration of every mortgage, charge or assignment, shall, save as provided by subsection 2, be effected by filing with the Provincial Secretary a duplicate original of the instrument containing the mortgage, charge or assignment, together with the affidavit required by subsection 2 of section 3, and an affidavit made by any officer or agent of the mortgagor or assignor stating the date of the execution of the instrument by the mortgagor or assignor, within thirty days from the date of the execution of the instrument.

Registra-
tion when
charge in
bond, etc.

(2) Registration of every mortgage, charge or assignment, contained in bonds, debentures or any series thereof, or in debenture stock, not secured by a separate instrument, shall be effected by filing with the Provincial Secretary, within thirty days after the execution of the bonds, debentures or debenture stock, an affidavit made by any officer or agent of the mortgagor or assignor, setting forth the following particulars:—

(a) the total amount secured by the bonds, debentures or series thereof, or debenture stock;

(b) a true copy of the bond or debenture or of one bond or debenture of the series or of the debenture stock certificate;

(c)

(c) the date of execution.

5. Any affidavit made for the purposes of this Act by an officer or agent of a corporation shall state that the deponent is aware of the circumstances connected with the transaction and has a personal knowledge of the facts deposed to. Affidavit of corporation officer.

6. When the time for filing an instrument containing a mortgage, charge or assignment, or an affidavit, expires on a Sunday or other day on which the office of the Provincial Secretary is closed, the filing shall, so far as regards the time of filing, be valid if made on the next following day on which the office is open. Time expiring on a holiday.

7. The Provincial Secretary shall cause every instrument containing a mortgage, charge or assignment, and every affidavit filed in his office under this Act to be numbered, to be endorsed with a memorandum of the day, hour and minute of its filing and to be indexed by entering in alphabetical order in a register kept by him the names of the parties to the mortgage, charge or assignment, the date of execution of the instrument containing the same or of the bonds, debentures or debenture stock not secured by separate instrument, as shown by the affidavit filed, and the date of filing and the amount secured as shown by the instrument or by the affidavit. Minutes of registration.

8. Subject to the rights of other persons accrued by reason of any omission or mis-statement referred to in this section, a judge of the Supreme Court, on being satisfied that the omission to file an instrument or affidavit within the time prescribed by this Act or any omission or mis-statement in any document filed under this Act was accidental or due to inadvertence or impossibility or other sufficient cause, may, in his discretion, extend the time for registration, or order the omission or mis-statement to be rectified on such terms and conditions, if any, as to security, notice by advertisement or otherwise, or as to any other matter or thing, as he thinks fit to direct. The order or a copy thereof shall be annexed to the instrument or affidavit or document or copy thereof on file or tendered for filing, and appropriate entries shall be made in the register. Rectification of omissions and mis-statements.

9. No defect or irregularity in the execution of an instrument containing a mortgage, charge or assignment, no defect, irregularity or omission in any affidavit, and no error of a clerical nature or in an immaterial or non-essential part shall invalidate or destroy the effect of the mortgage, charge or assignment or the registration thereof, unless in the opinion of the court or judge before whom a question relating thereto is tried, such defect, irregularity, omission or error has actually misled some person whose interests are affected by the mortgage, charge or assignment. Defects and irregularities.

Assignments
and dis-
charges.

10.—(1) An assignment of a mortgage or charge of chattels or of an assignment of book debts within this Act need not, but may, be filed with the Provincial Secretary.

Discharge
and partial
discharge.

(2) A mortgage or charge or assignment of book debts registered under this Act may be discharged in whole or in part by filing with the Provincial Secretary a certificate of discharge signed by the mortgagee, trustee, or assignee, his or its executors, administrators, successors or assigns, and, except in the case of a certificate of discharge executed by a corporation under its corporate seal, the certificate shall be accompanied by the affidavit of an attesting witness of the execution thereof; but in case a mortgage, charge or assignment of book debts has been assigned, no certificate of discharge by an assignee shall be filed until the assignment has been filed.

Discharge
when charge
on face of
securities.

(3) In the case of a mortgage, charge or assignment contained in bonds, debentures or any series thereof, or in debenture stock, not secured by a separate instrument, the Provincial Secretary may, on evidence being given to his satisfaction that the debt for which the mortgage, charge or assignment was given as security has been paid or satisfied, enter a memorandum of discharge in the register, and shall, if required, furnish the corporation with a copy thereof.

Entry of
assignment
or discharge.

(4) The Provincial Secretary shall note the fact of such assignment or discharge against each entry in the books of his office respecting the filing of the instrument or affidavit, and shall make a like notation upon that instrument or upon the affidavit filed under subsection 2 of section 4.

Certificate
of filing.

11.—(1) Upon payment of the prescribed fees the Provincial Secretary shall give a certificate under his hand of the filing of any instrument or affidavit in pursuance of this Act, and of the day and hour of such filing, and a certificate as to prior registrations, if any, of mortgages, charges or assignments created or made by the mortgagor or assignor.

Evidence.

(2) Every certificate furnished by the Provincial Secretary touching any matter dealt with by this Act, shall be received for all purposes as *prima facie* evidence of the facts set out in the certificate; and every copy of a document filed under this Act, certified by the Provincial Secretary, shall be received as *prima facie* evidence for all purposes as if the original document were produced, and also as *prima facie* evidence of the execution of the original document according to the purport of such copy.

Proof not
required of
Provincial
Secretary's
signature.

(3) No proof shall be required of the signature of the

Provincial

Provincial Secretary in respect of any certificate produced as evidence pursuant to this section.

12. Upon payment of the prescribed fees every person ^{Searches.} shall have access to and be entitled to inspect the books of the Provincial Secretary containing records or entries of mortgages, charges or assignments or documents registered or filed under the provisions of this Act, and no person shall be required as a condition of his right thereto to disclose the name of the person in respect of whom such access or inspection is sought; and the Provincial Secretary shall, upon request, accompanied by payment of the prescribed fees, produce for inspection any mortgage, charge, assignment or document so registered or filed.

13. For service under this Act the Provincial Secretary ^{Fees.} shall be entitled to receive such fees as may be from time to time prescribed by the Lieutenant-Governor in Council.

14. This Act shall apply only to mortgages or charges of ^{Application of Act.} chattels or assignments of book debts executed after it comes into force.

15. A mortgage or charge of chattels or an assignment of book debts heretofore made which if the same had been ^{Charges created before passing of Act.} executed after the coming into force of this Act would be within the provisions of this Act and which has heretofore or hereafter been properly registered or filed under any Act respecting the same shall, notwithstanding anything contained in that Act or any other Act of this Legislature, not require to be renewed.

16. *The Bills of Sale and Chattel Mortgages Act* and *The* ^{Rev. Stat., c. 164; 1931, c. 35.} *Assignment of Book Debts Act* shall not apply to any mortgage, charge or assignment the registration of which is provided for in this Act.

17. This Act shall be so interpreted and construed as to ^{Interpretation of Act.} effect its general purpose of making uniform the law of those provinces which enact it.

18. This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

CHAPTER 51.

An Act respecting Collection Agencies.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The Collection Agencies Act, 1932.*

Interpreta- **2.** In this Act,—
tion.

“Collection (a) “Collection Agency” shall mean and include an
agency.” individual, firm or corporation carrying on the
business of collecting debts for other persons in
consideration of the payment of a commission upon
the amount collected or otherwise and not having
the head office of such agency in Ontario;

“Pre- (b) “Prescribed” shall mean prescribed by this Act;
scribed.”

“Regula- (c) “Regulations” shall mean regulations made under the
tions.” authority of this Act.

Agency **3.** A collection agency shall not carry on the business of
must be collecting debts in Ontario personally, by letter or otherwise
licensed in until such agency has been duly licensed as provided by this
Ontario. Act and the regulations thereunder.

License,— **4.** A license in the prescribed form may be issued to a
issue of. collection agency upon the agency furnishing such information
as may be required by the regulations.

Penalty for **5.** Every collection agency within the meaning of this Act
operating which carries on business in Ontario either by correspondence
without or by serving written demands, or by making verbal demands
license. upon alleged debtors without the license required by this
Act shall be guilty of an offence and incur a penalty of not
less than \$50 and not more than \$200.

6. Every person who employs a collection agency not having the license required by this Act, or causes or procures letters to be sent or verbal demands to be made upon debtors or alleged debtors by a collection agency not having such license shall be guilty of an offence and shall incur a penalty of not less than \$50 and not more than \$200. Penalty for employing unlicensed agency.

7. Upon complaint that any collection agency is violating any of the regulations made under this Act the license of such agency may be cancelled and notice of such cancellation shall be published forthwith in the *Ontario Gazette*. Penalty for employing unlicensed agency.

8.—(1) The Lieutenant-Governor in Council may make regulations,— Regulations.

- (a) prescribing the form of license and application therefor under this Act;
- (b) fixing the amount of security, if any, to be given by a collection agency;
- (c) prohibiting the use of any particular method in the collection of debts by collection agencies;
- (d) fixing the date of the license and the period for which it may be granted and the fee to be charged therefor;
- (e) requiring collection agencies to make such returns and furnish such information as may be deemed proper to such officer as may be designated by the regulations;
- (f) prohibiting the bringing of any action for the recovery of a debt in any court of this Province by a collection agency which has not its chief office or place of business in Ontario.

(2) The penalties imposed by this Act shall be recoverable under *The Summary Convictions Act*. Application of Rev. Stat., c. 121.

9. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 52.

An Act respecting Interprovincial Drainage Works.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Interprovincial Drainage Act, 1932*.

Extending
inter-
provincial
drainage
work.

2. Wherever for the purpose of securing better drainage it is deemed necessary or expedient to extend drainage works from Ontario into or through lands in an adjoining province, or to extend a drainage work from an adjoining province, into or through lands in Ontario, the Lieutenant-Governor in Council may authorize the Minister of Public Works to enter into an agreement with a designated officer of the adjoining province as to the proportion of the cost of the work in the adjoining province to be borne and paid by Ontario and as to the proportion of the cost of the work in Ontario to be borne and paid by the adjoining province.

Extension of
drain from
adjoining
Province
into Ontario.

3. Where a drain extends from an adjoining province into and through lands in Ontario the Minister of Public Works may order the municipality into which the drain extends to provide for the construction of the necessary drainage work and thereupon all the provisions of *The Municipal Drainage Act* shall apply *mutatis mutandis* to such drain and the contribution to the work from the other province shall be paid to such municipality on the proper completion of the work.

Rev. Stat.,
c. 241.

Apportion-
ment of cost.

4. Where a drain extends from Ontario into and through lands in an adjoining province, the Minister of Public Works may order the municipality in Ontario in which the lands affected by the drainage work are situate, to provide funds to pay for the proportion of the cost of the work in the adjoining province to be borne and paid by Ontario, and thereupon all the provisions of *The Municipal Drainage Act* shall apply *mutatis mutandis* to such drain.

Rev. Stat.,
c. 241.

Commence-
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 53.

The Statute Law Amendment Act, 1932.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 10 of section 4 of *The Voters' Lists Act* Rev. Stat., c. 7, s. 4, subs. 10, amended. is amended by inserting after the word "Act" in the fourth line the words "or by reason of being a farmer's daughter" so that the subsection shall now read as follows:

(10) In the case of a person who is a municipal elector by reason of being the wife or husband of the person rated or entitled to be rated for land as provided by *The Municipal Act*, or by reason of being a farmer's daughter, the clerk shall opposite the name of such person, in the proper column, insert the letters "M.F.N.C." meaning that such person is entitled to vote at municipal elections, but is not to be counted for the purpose of determining representation in the county council. Entering name of husband wife or daughter of person rated.

(2) Subsection 12 of the said section 4 is repealed and the following substituted therefor: Rev. Stat., c. 7, s. 4, subs. 12, repealed.

(12) In the case of a person being a farmer's son or a farmer's daughter, the clerk shall insert opposite the name, in the proper column, the words "Farmer's Son" or "Farmer's Daughter" or the letters "F.S." or "F.D." as the case may be. Farmer's son and farmer's daughter.

2. The clause lettered *a* in subsection 1 of section 3 of *The Election Act* is repealed and the following substituted therefor: Rev. Stat., c. 8, s. 3, subs. 1, cl. a, repealed.

(a) In the County of York the board shall be composed of the judges of the county court.

Rev. Stat.,
c. 27,
amended.

3. *The Law Stamps Act* is amended by adding thereto the following section:

Regulations
re fees
payable
to Crown.

22. Notwithstanding anything contained in any other Act the Lieutenant-Governor in Council may make rules and regulations from time to time regulating and fixing all fees payable to the Crown in respect of proceedings in any court.

Rev. Stat.,
c. 52, s. 8,
subs. 2,
repealed.

4. Subsection 2 of section 8 of *The Public Works Act* is repealed.

Rev. Stat.,
c. 54,
s. 74,
subs. 7,
amended.

5. Subsection 7 of section 74 of *The Highway Improvement Act* is amended by striking out the words "Public Works and" in the fourth line, so that the subsection shall now read as follows:

Style of
action.

(7) In any action under this section against the Department, the defendant may be described as "His Majesty the King in right of the Province of Ontario, represented by the Minister of Highways for the Province of Ontario", and it shall not be necessary to proceed by petition of right or to procure the fiat of the Lieutenant-Governor or the consent of the Attorney-General before commencing such action but every such action may be instituted and carried on and judgment may be given thereon in the same manner as in an action brought by a subject of His Majesty against another subject.

Rev. Stat.,
c. 67, s. 1,
amended.

6. Section 1 of *The Agricultural Development Finance Act* is amended by adding thereto the following subsection:

Moneys
subject to
attachment.

(2) Moneys deposited under this section shall be subject to attachment in the same manner as money deposited in any chartered bank.

Rev. Stat.,
c. 71, s. 22,
subs. 1,
cl. c,
repealed.

7. Clause c of subsection 1 of section 22 of *The Agricultural Societies Act* is repealed and the following substituted therefor:

Distribution
of
remainder
of provincial
grant.

(c) The remainder of the grant voted for agricultural societies may be distributed by the Minister among the societies, other than new societies, which receive grants from municipalities under section 38, but the grant to any society shall not exceed the amount of the grant received by it from all municipalities during the next preceding year.

Rev. Stat.,
c. 76, s. 1,
cl. b,
repealed.

8. Clause b of section 1 of *The Fruit Packing Act* is repealed and the following substituted therefor:

(b)

- (b) "Association" shall mean any association of fruit growers incorporated as an association under *The Companies Act* for the purpose of marketing fruit and composed of not less than ten fruit growers who together hold at least one hundred acres of land and have contracted to market their fruit through such association.

"Association,"
Rev. Stat.,
c. 218.

9. Section 2 of *The Fruit Packing Act* is amended by striking out the words "or erecting" in the fifth line and inserting in lieu thereof the words "erecting or equipping" so that the section shall now read as follows:

Rev. Stat.,
c. 76, s. 2,
amended.

2. The Lieutenant-Governor in Council upon the recommendation of the Minister may make a grant out of such moneys as may be appropriated by the Legislature for that purpose, to any association in accordance with the provisions of this Act for the purpose of acquiring, erecting or equipping buildings necessary for the proper grading, packing and storing of the fruits grown by the members of such association.

Grant for
erecting
and equip-
ping
packing
houses.

10.—(1) Section 1 of *The Judicature Act* is amended by adding the following clause:

Rev. Stat.,
c. 88, s. 1,
amended.

- (v) "Master of the Supreme Court" shall include Assistant Master.

"Master of
the Supreme
Court."

(2) This amendment shall come into force and take effect as and from the 1st day of January, 1932.

Commence-
ment of
section.

11. Section 7 of *The Evidence Act* is repealed and the following substituted therefor:

Rev. Stat.,
c. 107, s. 7,
repealed.

7. The parties to any proceeding instituted in consequence of adultery and the husbands and wives of such parties shall be competent to give evidence in such proceeding; provided that no witness in any proceeding whether a party to the suit or not, shall be liable to be asked or bound to answer any question tending to show that he or she is guilty of adultery unless such witness shall have already given evidence in the same proceeding in disproof of his or her alleged adultery.

Evidence
in
proceedings
in conse-
quence of
adultery.

12. Section 29 of *The Coroners Act* is amended by adding thereto the following subsections:

Rev. Stat.,
c. 123, s. 29,
amended.

- (3) Where a city or county is entitled to be recouped out of the Consolidated Revenue Fund for fees and expenses

Coroner's
accounts
to be
approved
by County
Board of
Audit.

expenses paid to a coroner under this Act, all accounts therefor shall be audited and approved by the County Board of Audit appointed under *The Administration of Justice Expenses Act* in the manner provided for in such Act with respect to other accounts.

Application to outstanding accounts.

- (4) Subsection 3 shall apply to any outstanding account for fees and expenses payable or paid to a coroner by a city or county, the amount of which has not been recouped out of the Consolidated Revenue Fund at the time of the passing of this Act.

Rev. Stat., c. 123, amended.

- 13.** *The Coroners Act* is amended by adding thereto the following section:

Recovery of penalties.
Rev. Stat., c. 121.

- 44a. The penalties imposed under this Act shall be recoverable under *The Summary Convictions Act*.

Rev. Stat., c. 158, s. 61a (1931, c. 23, s. 11) repealed.

- 14.** Section 61a of *The Land Titles Act* as enacted by section 11 of *The Statute Law Amendment Act, 1931*, is repealed and the following substituted therefor:

Rev. Stat., c. 148.

- 61a. Notwithstanding anything contained in *The Devolution of Estates Act* or this Act, no executor, administrator, devisee, beneficiary, heir, or any person interested in any freehold or leasehold land, or in any charge or interest therein, shall, by reason of the death of any registered owner, co-owner or joint owner of any such land, charge or interest in land be entered as owner unless the consent in writing of the Treasurer of Ontario is attached to or endorsed on the application for transmission of interest or application for entry and such entry shall be in respect of only the land, charge or interest in land mentioned in the application, and in the case of the death of the registered owner of any charge where no such entry is being applied for, but a cessation of the charge is tendered for registration, such cessation shall not be registered until the above consent is attached thereto or endorsed thereon.

Application of section.

- 61b. Section 61a shall not apply where the death of the registered owner occurred prior to the 1st day of January, 1930.

Rev. Stat., c. 164, ss. 37-41, repealed.

- 15.** Sections 37, 38, 39, 40 and 41 of *The Bills of Sale and Chattel Mortgage Act* are repealed.

Rev. Stat., c. 164, amended.

- 16.** *The Bills of Sale and Chattel Mortgage Act* is amended by adding thereto the following section:

37. The provisions of sections 28, 29 and 30 of this Act shall not apply to any instrument registered under *The Corporation Securities Registration Act, 1932*. Application of ss. 28—30, 1932, c. 50.

17.—(1) Subsection 1 of section 17 of *The Marriage Act* is amended by striking out at the end of the said subsection the words "and such consent shall be deemed to be a condition precedent to a valid marriage, unless the marriage has been consummated or the parties have after the ceremony cohabited and lived together as man and wife." Rev. Stat., c. 181, s. 17, amended.

- (2) Sections 34 and 35 of *The Marriage Act* are repealed. Rev. Stat., c. 181, ss. 34 and 35, repealed.

18. Clause *c* of subsection 2 of section 19 of *The Children of Unmarried Parents Act* is amended by striking out the word "magistrate" in the second line and inserting in lieu thereof the word "judge," so that the clause shall now read as follows: Rev. Stat., c. 188, s. 19, subs. 2, cl. c, amended.

- (c) may, when a warrant has been issued or where the person in default fails to satisfy the judge that such default is due to inability to pay, order such person to be imprisoned for any period not exceeding three months unless the payments in respect of which he is in default are sooner paid. Enforcement of payment by imprisonment.

19. Section 44 of *The Law Society Act* as amended by section 8 of *The Statute Law Amendment Act, 1928*, is repealed. Rev. Stat., c. 192, s. 44, repealed.

20. *The Drugless Practitioners Act* is amended by adding thereto the following section: Rev. Stat., c. 200, amended.

5a.—(1) In all cases where proof of registration under this Act is required to be made, the production of a printed or other copy of the register, certified under the hand of the secretary-treasurer of the Board, shall be sufficient evidence of all persons who are registered practitioners in lieu of the production of the original register, and any certificate upon such printed or other copy of the register purported to be signed by any person in his capacity of secretary-treasurer of the Board under this Act, shall be *prima facie* evidence that such person is the secretary-treasurer without any proof of his signature or of his being in fact the secretary-treasurer. Proof of registration.

- (2) The absence of the name of any person from such copy shall be *prima facie* evidence that such person

is not registered according to the provisions of this Act.

- (3) In the case of any person whose name does not appear in such copy, a certified copy under the hand of the secretary-treasurer of the entry of the name of such person on the register shall be evidence that such person is registered under the provisions of this Act.

Rev. Stat.,
c. 218.,
s. 84,
subs. 3,
amended.

21. Subsection 3 of section 84 of *The Companies Act* is amended by striking out the words "*The Bills of Sale and Chattel Mortgage Act*" in the third line and inserting in lieu thereof the words "any other Act" so that the subsection shall now read as follows:

Exceptions.

- (3) The next preceding subsection shall not apply to any mortgage filed with the Provincial Secretary under the provisions of any other Act.

Rev. Stat.,
c. 218,
s. 97,
subs. 2,
repealed.

22. Subsection 2 of section 97 of *The Companies Act* is repealed and the following substituted therefor:

Companies
with wasting
assets
declaring
or paying
dividends.

- (2) Nothing in this section shall prevent a mining company or a company whose assets are of a wasting character, or a company heretofore or hereafter incorporated under this Act whose principal object is the acquisition of the assets, or a substantial part of the assets, of another corporation, either from such corporation or from the assign of such corporation, for the purpose of converting such assets into money and distributing the money of the company amongst its shareholders and the administration of such assets pending conversion and distribution thereof, from declaring or paying dividends out of its funds derived from the operations of the company, provided that in the case of a company incorporated for the object last mentioned such dividends shall be paid only in accordance with the priorities of shareholders as prescribed by the letters patent or supplementary letters patent of such company.

Certain
sections
repealed.

23. Notwithstanding anything contained in section 10 of *The Companies Act, 1928*, sections 108 and 109 of the Act passed in the seventh year of the reign of His late Majesty King Edward the Seventh, chaptered 34, sections 112 and 113 of the Act passed in the 2nd year of the reign of His Majesty King George the Fifth, chaptered 31, sections 114 and 115 of *The Companies Act*, chapter 178 of the Revised Statutes

of Ontario, 1914, and sections 116 and 117 of *The Companies Act*, chapter 218 of the Revised Statutes of Ontario, 1927, and section 152a of the said *Companies Act* enacted by section 7 of *The Companies Act*, 1929, are each hereby severally repealed as, of and from the date on which the same were respectively enacted, provided that such repeal shall not affect in any way the powers and rights consequent upon compliance with the said sections or any of them of any company which has complied with the said repealed sections or any of them while they were in force.

24. Section 2 of *The Extra Provincial Corporations Act* is amended by striking out the words "corporations liable to payment of taxes imposed by *The Corporations Tax Act* or" in the first and second lines of the clause commencing "Class 5," so that the said clause shall now read as follows:

Class 5. Corporations licensed under the provisions of *The Liquor Control Act* relating to brewers and distillers.

25. Clause *u* of section 1 of *The Railway Act* is amended by adding at the end thereof the following words:

"and shall include busses and other vehicular means of transportation operated as part of or in connection with a street railway."

26.—(1) Subsection 14 of section 40 of *The Assessment Act* as enacted by section 5 of *The Assessment Amendment Act*, 1931, is amended by striking out the figures and word "12, 13 and 14" in the third line and inserting in lieu thereof the figures and word "11, 12 and 13."

27. Subsection 2 of section 4 of *The Community Halls Act* is amended by inserting after the word "township" in the first line the words "or village", so that the subsection shall now read as follows:

(2) The corporation of the township or village may issue debentures for the purposes of subsection 1 in the manner provided by *The Municipal Act*.

28.—(1) Section 3 of *The Public Commercial Vehicle Act* is amended by adding thereto the following clause:

(d) prescribing, regulating and limiting the hours of labour for drivers of public commercial vehicles.

(2) Section 5 of *The Public Commercial Vehicle Act* is amended by adding thereto the following subsection:

(2)

Recovery of
penalties.
Rev. Stat.,
c. 121.

- (2) The penalties imposed by this Act shall be recoverable under *The Summary Convictions Act*.

1931, c. 51,
amended.

- (2) *The Assessment Amendment Act, 1931*, being chapter 51 of the statutes of 1931, is amended by inserting at the commencement thereof the words "Assented to April 2nd, 1931."

Rev. Stat.,
c. 280, s. 14,
subs. 1,
amended.

- 29.** Subsection 1 of section 4 of *The Mothers' Allowances Act* is amended by striking out the words "Commission appoint an executive secretary and such other" in the second and third lines and inserting in lieu thereof the words "Minister appoint such," so that the subsection shall now read as follows:

Staff
salaries.

- (1) The Lieutenant-Governor in Council may on the recommendation of the Minister appoint such officers, clerks and servants of the Commission as may be deemed expedient and may fix the salaries of the members of the staff of the Commission.

Rev. Stat.,
c. 280, s. 9,
amended.

- 30.** Section 9 of *The Mothers' Allowances Act* is amended by striking out the word "Commission" in the second line and inserting in lieu thereof the word "Minister" so that the first two lines of the said section shall now read as follows:

Regulations.

9. On approval of the Lieutenant-Governor in Council the Minister may make regulations—

Rev. Stat.,
c. 285,
s. 22
(1930,
c. 58, s. 5)
repealed.

- 31.** Section 22 of *The Theatres and Cinematographs Act* as enacted by section 5 of *The Theatres and Cinematographs Act, 1930*, is repealed and the following substituted therefor:

Fire
prevention.

22. From and after the passing of this Act a license to operate a theatre shall be granted only when the building in which such theatre is located is of fire resistive construction; provided that the Inspector of Theatres may in his discretion extend the time for altering or otherwise rendering any such building fire-resistive.

Rev. Stat.,
c. 322, s. 7,
subs. 1,
amended.

- 32.**—(1) Subsection 1 of section 7 of *The Department of Education Act* is amended by adding at the end thereof the following words: "and to an amount not exceeding \$100,000 guarantee the investments of any penny bank or similar institution mentioned in clause y of section 88 of *The Public Schools Act* and section 24 of *The High Schools Act* which has for one of its objects the encouragement of thrift among school pupils and is approved by the Minister", so that the subsection shall now read as follows:

- (1) The Lieutenant-Governor in Council may, upon the recommendation of the Minister, for and in the name of the Province, guarantee the payment of any debentures issued by a board of public school trustees or a board of separate school trustees or by a municipal corporation in a provisional judicial district for any school purpose for which such board or municipal corporation is authorized to issue debentures and to an amount not exceeding \$100,000 guarantee the investments of any penny bank or similar institution mentioned in clause y of section 88 of *The Public Schools Act* and section 24 of *The High Schools Act* which has for one of its objects the encouragement of thrift among school pupils and is approved by the Minister. Guaranteeing school debentures and investments.
- (2) Subsection 3 of the said section 7 is amended by inserting after the word "debenture" in the first line the words "issued by a municipal corporation or board of school trustees", so that the subsection shall now read as follows: Rev. Stat., c. 322, s. 7, subs. 3, amended.
- (3) Any debenture issued by a municipal corporation or board of school trustees, payment of which is guaranteed on behalf of the Province of Ontario under this section, shall be valid and binding upon the municipal corporation or the board of school trustees as the case may be by which it is issued, and the ratepayers thereof, according to its terms, and the validity of any debenture so guaranteed shall not be open to question on any ground whatsoever. Validity of guaranteed debenture.
- 33.** *The Female Refuges Act* is amended by adding the following section: Rev. Stat., c. 347, amended.
19. The Lieutenant-Governor in Council may make regulations providing for the amount payable by municipalities to an industrial refuge for the maintenance of females committed to such industrial refuge, from such municipalities, under the provisions of this Act. Maintenance.
- 34.** Those portions of lots numbers 23 and 24 in the 12th Concession of the Township of O'Brien, lying north of the Kapuskasing River; that portion of lot number 22 in the 13th Concession of the said Township lying west of the Kapuskasing River and lots numbers 23 and 24 in the said 13th Concession; that portion of lot number 23 in the 14th Concession of the said Township lying south of the Kapuskasing River; that portion of lot number 24 in the said 14th 1921, c. 36, amended.
Certain lots detached from Town of Kapuskasing

Concession lying west and south of the said Kapuskasing River and lot number 25 in the said 14th Concession; and that portion of lot number 24 in the 15th Concession of the said Township lying west of the Kapuskasing River are detached from the Town of Kapuskasing and annexed to and shall hereafter form part of the said Township of O'Brien, and the Act passed in the year 1921, chaptered 36 entitled "An Act to incorporate the Town of Kapuskasing" is amended accordingly.

1928, c. 33,
s. 3,
subs. 3,
amended.

35.—(1) Subsection 3 of section 3 of *The Companies Information Act, 1928*, is amended by striking out the words "liable to payment of tax under section 3 of *The Corporations Tax Act*" in the first and second lines and inserting in lieu thereof the words "registered under *The Loan and Trust Corporations Act*" so that the subsection shall now read as follows:

Exceptions
as to
companies
registered
under
Rev. Stat.
c. 222, 223.

- (3) This section shall not apply to corporations registered under *The Loan and Trust Corporations Act* or to an insurer licensed under *The Insurance Act*, except where such corporation or insurer is selling its treasury stock in Ontario either directly or through any person or company.

1928, c. 33,
s. 4,
amended.

(2) Section 4 of *The Companies Information Act, 1928*, as amended by section 3 of *The Companies Information Amendment Act, 1929*, and section 2 of *The Companies Information Act, 1931*, is further amended by striking out the word "February" wherever the same appears in the said section and inserting in lieu thereof the word "May," and by striking out the word "December" in the tenth line of subsection 1 of the said section and inserting in lieu thereof the word "March."

(3) The amendment made by subsection 2 shall have effect as from the 1st day of January, 1933.

1930, c. 39,
s. 1,
1931,
c. 48,
s. 1,
amended.

36. Section 1 of *The Security Frauds Prevention Act, 1930*, is amended by striking out the words "*The Security Frauds Prevention Act*" and inserting in lieu thereof the words "*The Securities Act*" so that the said Act shall be cited as "*The Securities Act, 1930*," and section 1 of *The Security Frauds Prevention Act, 1931*, is amended by striking out the words "*The Security Frauds Prevention Act*" and inserting in lieu thereof the words "*The Securities Act*," so that the said Act shall be cited as "*The Securities Act, 1931*," and wherever the words "*The Security Frauds Prevention Act, 1930*" and "*The Security Frauds Prevention Act, 1931*," occur in the statutes they shall mean "*The Securities Act, 1930*" and "*The Securities Act, 1931*."

37.—(1) Subsection 1 of section 7 of *The Ontario Training Schools Act, 1931*, is amended by adding at the end thereof the words “or at any time after leaving the school,” so that the subsection shall now read as follows: ^{1931, c. 60, s. 7, subs. 1 amended.}

- (1) Every boy or girl admitted to a training school shall upon admission become a ward of the training school until he or she becomes of age and shall be subject to the control of the Board and superintendent in the same manner and to the same extent as in the case of a guardian appointed by statute or by any court or by any will or instrument and all rights and powers of the parent or any such guardian over a boy or girl so admitted shall upon admission cease and determine unless the Minister provides that the wardship of the training school shall cease upon the boy or girl leaving the school or at any time after leaving the school. ^{School wardship over boys and girls.}

(2) Subsection 2 of the said section 7 is amended by striking out the words “upon a boy or girl leaving the school he or she” in the second and third lines and inserting in lieu thereof the words “the boy or girl”, so that the subsection shall now read as follows: ^{1931, c. 60, s. 7, subs. 2, amended.}

- (2) When the Minister provides that the wardship of a training school shall cease the boy or girl shall after leaving be and become a ward of that person who but for the wardship of the training school was or would have been in law his or her guardian. ^{Restoration of other wardship.}

38.—(1) Clause *b* of subsection 1 of section 51 of *The Sanatoria for Consumptives Act, 1931*, is amended by striking out the figures “\$2.25” in the sixth line and inserting in lieu thereof the figures “\$2” so that the said clause shall now read as follows: ^{1931, c. 76, s. 51, subs. 1, cl. b, amended.}

- (*b*) for treatment of every patient who is an indigent person or the dependent of an indigent person and who has actually resided in unorganized territory for the period of three months within the five months next prior to admission to a sanatorium at the rate of \$2 per day for every day that such patient is receiving treatment in the sanatorium. ^{Indigent rate of aid for unorganized territory.}

(2) This section shall have effect from the 1st day of April, 1932. ^{Commencement of section.}

39.—(1) *The Public Hospitals Act, 1931*, is amended by adding thereto the following section: ^{1931, c. 78, amended.}

Limitation
of action.

40a. Any action against any hospital or any person for anything done or purporting to be done in pursuance of this Act brought by or on behalf of any person who has been admitted as a patient in such hospital and has been discharged therefrom shall be commenced within two years after his discharge.

1931, c. 78,
s. 41,
amended.

(2). Section 41 of *The Public Hospitals Act, 1931*, is amended by striking out the figures "1929" in the last line and inserting in lieu thereof the figures "1930".

1931, c. 109,
amended.

40. Wherever in chapter 109 of the statutes of Ontario, 1931, being *An Act respecting the Municipality of Neebing*, the word "township" occurs with reference to the said municipality the same shall be struck out and the word "municipality" inserted in lieu thereof and the said Act shall be construed as if reference had been made therein to the municipality of Neebing from the time when the provisions of the said Act came into force.

Application
of proceeds
of certain
debentures
by Township
of Harwich.

41. The council of the corporation of the township of Harwich may apply any grants or contributions made towards the cost of certain works undertaken under the authority of its by-laws numbers 2680 and 2736 in payment of the whole or any portion of the special assessments levied upon the properties liable for the cost of the said works in any one or more of the years during which such assessments are payable.

Authority to
guarantee
certain
debentures.

42.—(1) The Lieutenant-Governor in Council may authorize the Treasurer of Ontario to guarantee the payment on behalf of Ontario of the debentures amounting to \$57,000 issued or to be issued by the corporation of the town of Sturgeon Falls under the authority of by-laws of the said corporation.

Form of
guaranty.

(2) The form of guaranty and the manner of its execution shall be determined by the Lieutenant-Governor in Council.

Consent of
University
to assign-
ment of
Victoria
College
leases.

43. The consent given by the Governors of the University of Toronto under date of the 18th day of December, 1931, to the assignment by way of mortgage of certain leases by the Board of Regents of Victoria University, is hereby ratified and confirmed and declared to be legal, valid and binding.

Confirmation
of
Order-in-
Council.

44. The Order-in-Council approved by the Honourable the Administrator for the Province of Ontario and dated the 29th day of January, A.D. 1932, relating to the Sandwich, Windsor and Amherstburg Railway and all things made, done and performed pursuant thereto are confirmed and shall

be deemed to be and since the said date to have been valid and binding.

45.—(1) Notwithstanding the provisions of *The Assessment Act* the council of the corporation of the County of York may by by-law provide that for the purposes of all county rates the equalized assessment of the said county shall for the purposes of taxation in each of the years 1933, 1934 and 1935 remain fixed and as equalized for the purposes of taxation in the said year 1933 under the authority of its by-law number 1696. Equalized assessment of York County.

(2) Notwithstanding the provisions of sections 88 and 89 of the said Act, the council of the corporation of the said county may by by-law provide for establishing the method for determining the equalized assessment of the said county for the year 1936 and subsequent years. Method of determining equalization in future years.

(3) No by-law shall be passed under the provisions of subsection 2 except by a vote of two-thirds of all the votes of the members of the council, and with the like vote any such by-law may be amended or repealed. Vote on passing of by-laws.

46. Except as otherwise herein provided, this Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 54.

An Act for granting Aid to the Medical Faculty of the University of Western Ontario.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1.** This Act may be cited as *The University of Western Ontario Act, 1932.*

Annual grant to University. **2.** There may be granted out of the Consolidated Revenue Fund to the University of Western Ontario an annual sum not exceeding \$20,000 for a period of ten years commencing with the year 1933, the same to be expended in providing accommodation for the medical faculty of the said university in such manner and subject to such conditions as may be agreed upon between the Crown and the said university.

Commencement of Act. **3.** This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 55.

An Act to establish the Grand River Conservation Commission.

Assented to March 29th, 1932.

WHEREAS the Grand River and its tributaries the Nith, Speed and Conestoga Rivers, and the creeks and streams flowing thereinto drain an area of approximately twenty-six hundred square miles in the counties of Grey, Dufferin, Wellington, Perth, Waterloo, Halton, Oxford, Brant, Wentworth, Norfolk and Haldimand, in the Province of Ontario; and whereas the people of the municipalities and the municipalities throughout the valley of the Grand River have been subjected to great financial loss, property damage, distress and inconvenience through the frequently occurring floods of the Grand River and its tributaries during the Spring freshets, and through the inadequate supply of water for municipal, domestic and manufacturing purposes during seasons of drought; and whereas the seasonal floods and water shortages are caused by the state of excessive deforestation, the lack of proper water storage facilities and the efficient land drainage system existing in the area which have contributed to effect an excessively fast run-off of surface waters into the rivers and streams of the area during periods of rainfall and during the Spring freshets; and whereas it is deemed expedient that legislation be enacted which will provide the authority for the creation of a commission to investigate and report on and to carry out the necessary works whereby the waters of the Grand River and its tributaries may be controlled in times of flood, and conserved to more effectively afford a sufficient supply of water for municipal, domestic and manufacturing purposes throughout the said drainage basin during periods of water shortage;

Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Grand River Conservation Commission Act, 1932.* Short title.

Interpre-
tation.

2. In this Act, except in so far as the provisions of this section would give to any word or words, expression or clause, an interpretation inconsistent with the context,—

"Municipi-
pality."

- (a) "Municipality" shall mean any of the Counties of Grey, Dufferin, Wellington, Perth, Waterloo, Halton, Oxford, Brant, Wentworth, Norfolk and Haldimand, or any incorporated city, town, village or township in any of the said counties;

"Municipal
Board."

- (b) "Municipal Board" shall mean the Ontario Municipal Board;

"Com-
mission."

- (c) "Commission" shall mean the Grand River Conservation Commission.

Commis-
sioner,—
appoint-
ment of

3. Any municipality may, by by-law, appoint a person hereinafter referred to as a "commissioner" for the purposes hereinafter provided and such commissioner shall be authorized by such by-law to do all things necessary to effectively carry out the provisions of this Act.

Petition for
charter.

4.—(1) Five or more commissioners appointed as aforesaid may petition the Lieutenant-Governor for the grant of a charter constituting such petitioners and such other commissioners who may thereafter become members, a corporation without share capital for the purposes for which the authority of this Act extends.

Particulars
to be shown
in petition.

(2) The petition shall show,—

- (a) that the petitioners desire to be incorporated under the name "Grand River Conservation Commission";
- (b) that the object for which the Commission is being incorporated is to fully carry out the provisions of this Act;
- (c) the place within Ontario where the head office of the Commission is to be situate, the name in full, the place of residence and the calling of each of the petitioners and the municipality by which each petitioner is appointed;
- (d) that each of the petitioners has been appointed by the by-law of a municipality and is authorized by such municipality to act as a commissioner under the provisions of this Act.

5. The objects for which the said Commission shall be incorporated are as follows,— Objects of Commission.

- (a) to make a geographic and hydrographic survey of the drainage basin of the Grand River and its tributaries;
- (b) to employ engineers, surveyors, foresters, clerks, workmen and other necessary persons to more effectively examine and survey the drainage basin of the Grand River and its tributaries;
- (c) to spend such moneys as may be necessary in the payment of salaries and for materials and supplies in order to carry out the purposes of the Commission;
- (d) to report to the Lieutenant-Governor in Council the findings and recommendations of the Commission relative to the control, improvement and conservation of the Grand River and its tributaries;
- (e) to carry out such works, constructions and improvements and to spend such moneys as may be authorized by the Lieutenant-Governor in Council;
- (f) to do all things necessary in furtherance of the above.

6. Other municipalities may by by-law appoint commissioners to become members of the incorporated Commission upon application to the Commission and upon payment of such fees and of such proportion of the cost of the work of the Commission to date of such application as the Municipal Board may direct. Appointment of additional Commissioners.

7. No work shall be undertaken within the limits of any municipality and no proportion of the cost of any work undertaken under the provisions of this Act shall be chargeable against any municipality without the consent of such municipality; and such consent shall be evidenced by the filing with the Commission of a certified copy of the by-law authorizing such work and authorizing the payment of a proportion of the cost thereof. Consent of municipality to work undertaken therein.

8. All moneys required for the general purposes of the Commission and all moneys required to pay the cost of the works authorized by and undertaken under the authority of this Act shall be provided by the municipalities in such proportions as may be ascertained and determined by the Commission. Cost of work, how borne.

Application
of funds.

9. The moneys required by the Commission shall be provided and paid over to the Commission from time to time on the application of the Commission. The application may state the total sum required at the time of making such application and the portion thereof required from and payable by each of the said municipalities, and the date or dates upon which each of the said municipalities shall pay the required amount or amounts to the Commission and the said application shall be delivered to the municipalities at least two months before the end of the fiscal year of the municipality.

Application
to be in
writing.

- (a) The application shall be in writing and sealed with the seal of the Commission and signed by the chairman and secretary. A duplicate original shall be delivered to the clerk of each of the municipalities, at least four calendar months before the date of the first payment required under the application.

Recovery
of funds.

10. The sum stated in any such application as payable by any of the said municipalities, when due and payable by such municipality to the Commission, may be recovered by the Commission from such municipality by suit in any court of competent jurisdiction.

- (a) The application as made or as amended by the Municipal Board on appeal shall be conclusive evidence that the sum or sums mentioned in such application is due and payable to the Commission, on the date or dates as therein shown.

Appeal to
Municipal
Board.

11. A municipal corporation which is dissatisfied with the apportionment of the cost of the works of the Commission made under section 8 may within thirty days after receipt of the application referred to in section 9, appeal from such apportionment to the Municipal Board by notice served upon the Commission, and upon the service of such notice the question of such apportionment shall stand referred to and be decided by the Municipal Board.

- (a) The proceedings on such appeal or on such reference to the Municipal Board shall be in accordance with the rules and practice of the Board.
- (b) The Municipal Board shall decide upon and determine the said apportionment and the decision of the Municipal Board shall be final.

Commence-
ment of Act.

12. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 56.

An Act respecting the Sandwich, Windsor and
Amherstburg Railway.*Assented to March 29th, 1932.*

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Sandwich, Windsor and Amherstburg Railway Act, 1932.* Short title.

2. Section 3 of *The Sandwich, Windsor and Amherstburg Railway Act, 1930*, is amended by adding thereto the following clause: 1930, c. 17, s. 3, amended.

- (c) Each corporation may by by-law passed annually appoint a substitute in the place and stead of the member appointed by it under clause *a* to act and vote at meetings of the company, held during the year which the member may find himself unable to attend, and for such purpose the substitute shall have and may exercise all the powers and authority of the member at such meetings. Appointment of substitute.

3.—(1) Section 23 of *The Sandwich, Windsor and Amherstburg Railway Act, 1930*, is amended by adding at the end thereof the following words, "except in accordance with the provisions hereinafter in this section contained." 1930, c. 17, s. 23, amended.

(2) The said section 23 is further amended by adding thereto the following subsections: 1930, c. 17, s. 23, amended.

- (2) If by reason of any alteration in the boundaries of the municipalities of the corporations made either before or after the date of enactment of this Act the commission in its discretion shall have determined or shall hereafter determine that an adjustment be made in the respective liabilities of the corporations heretofore or hereafter arising in respect of the operation of the railway and in the respective Substitution of debentures on boundary alterations.

amounts of debentures of the respective corporations mortgaged, hypothecated and pledged to the trustee under the indenture securing the bonds of the commission, the company, subject to the terms of such trust indenture, may with the approval of the commission and shall when directed by the commission cancel, release and deliver up to any corporation any debentures issued and deposited by it with the commission together with all coupons attached thereto.

When
substitution
to be made.

- (3) Such debentures shall be cancelled, released and delivered only upon the issue and delivery to the company in substitution therefor of new debentures of one or more of the corporations to an aggregate principal amount at least equal to the aggregate principal amount of the debentures of the corporation or corporations to be released.

Terms of
new
debentures.

- (4) Such new debentures shall carry interest from the interest payment date next preceding the date of the issue and delivery of said new debentures, and bear the same rate of interest and mature on the same date and be payable in the same manner and upon the same terms as the debentures of the corporations to be released.

Application
of new
debentures.

- (5) Such new debentures shall be held and disposed of by the company upon the same trusts and upon the same terms and conditions and for the same purposes as the debentures of the corporations to be released.

Issue
of new
debentures.

- (6) For the purpose of carrying out such substitution of debentures as aforesaid the corporations or any of them may, and, when directed by the commission, shall authorize by by-law the issue and delivery to the company of such new debentures.

Cancellation
of matured
coupons.

- (7) In the event that the trustee under any such trust indenture shall sell or otherwise dispose of any or all of the municipal debentures mortgaged, hypothecated and pledged thereunder such trustee shall detach and cancel all coupons attached to said debentures which have matured prior to the date of such sale or other disposition.

Power to
carry out
adjustment.

- (8) The commission, the company, the trust company and each of the corporations shall have power to do and perform all acts, matters and things necessary to fully carry into effect the provisions of this section and the terms and requirements of any adjustment made thereunder.

4. Section 29 of *The Sandwich, Windsor and Amherstburg Railway Act, 1930*, is repealed and the following substituted therefor: ^{1930, c. 17, s. 29, repealed.}

29.—(1) None of the corporations shall grant or permit to be granted or renewed to any person, any right, privilege, license or franchise to maintain, use or operate any bus, jitney, taxicab or other vehicle for the purpose of transportation of passengers for gain or hire which may in any way come into competition with the railway or prejudicially affect its revenues. ^{Protection of revenues of railway.}

(2) The company may require the corporations or any of them to pass such by-laws as may be necessary to effectually prevent such competition or prejudicial effect upon revenues of the railway, including the prescribing of minimum rates of fares to be charged for the transportation of passengers in any such bus, jitney, taxi-cab or other vehicle. ^{Municipal by-laws.}

(3) If upon being requested in writing so to do by the company, any of the corporations shall fail within thirty days after receipt of such request to pass any by-law as aforesaid or such by-law as may be approved by the company, the company may apply to the Ontario Municipal Board for an order to compel the corporation forthwith to pass such by-law as the said board may prescribe, and for such purpose the said board shall have all jurisdiction and power necessary therefor, and the provisions of *The Ontario Municipal Board Act, 1932*, shall apply. ^{Jurisdiction of Municipal Board.} 1932, c. 000.

(4) Notwithstanding the provisions of *The Municipal Act*, the councils of the corporations shall have and exercise all the powers necessary to pass any by-law required to be passed under this section, and the powers in that behalf of a board of police commissioners, if any, established in any of the municipalities shall, for the purposes of this section, be exercisable by the council only and in lieu of the board of police commissioners. ^{Council's powers. Rev. Stat., c. 233.}

5. *The Sandwich, Windsor and Amherstburg Railway Act, 1930*, is amended by adding thereto the following sections: ^{1930, c. 17, amended.}

29a.—(1) It is hereby declared that the sums due and owing as of the 23rd day of December, 1931, by the respective corporations under the Acts, including this Act, agreements and mortgage deed of trust relating to the railway are as set forth in the first column of schedule "B" to this Act opposite the names of such respective corporations. ^{Outstanding deficits.}

Provision for
such deficits.
1932, c. 27.

- (2) Subject as in *The Ontario Municipal Board Act, 1932*, may otherwise be provided, the said respective corporations shall include in their estimates for the year 1932 the respective sums set opposite their names in column 4 of said schedule with interest thereon as hereinafter provided and shall raise and levy the same in the year 1932 by a special rate on all the rateable property in the said respective municipalities rateable therefor and shall pay the same to the trustee under the said mortgage deed of trust together with interest thereon at the rate of six per centum per annum from the 23rd day of December, 1931, until the date of payment, which shall be not later than the 23rd day of December, 1932.

Sinking
fund and de-
preciation.

- (3) Notwithstanding the provisions contained in said Acts, agreements and mortgage deed of trust or in any demands or certificates heretofore or hereafter made by the commission or the trustee pursuant thereto the corporations shall not be obliged until such time or times as the Lieutenant-Governor in Council may direct to pay the amounts set opposite the names of said respective corporations in the second and third columns of the said schedule or any accrued interest thereon or any further amounts which pursuant to the provisions of the said Acts or agreements or mortgage deed of trust may hereafter become due and owing by them or any of them in respect of deficits for sinking fund or for reserves for renewals, obsolescence and depreciation in connection with the operation of the railway and the said mortgage deed of trust shall be read and construed accordingly; but such unpaid amounts shall be raised and levied by the respective corporations and paid over to the trustee or its successor in the trust from time to time in such amounts with interest at such rate and from such date as the Lieutenant-Governor in Council may from time to time direct.

Certificates.

- (4) The certificates of the commission to the trustee as to the respective amounts from time to time due and owing by the corporations in respect of deficits for sinking fund or reserves as aforesaid shall be conclusive evidence of the fact.

Con-
firmation of
mortgage
deed of trust.

29b.—The mortgage deed of trust dated 31st July, 1931, made between the company, the commission and Guaranty Trust Company of Canada, as trustee, is hereby amended by adding after the word "interest"

in the heading of Article IV thereof the words "and principal," and as so amended the said mortgage deed of trust and all the provisions, covenants and stipulations therein contained are hereby declared to be legal, valid and binding, and subject to the provisions of section 29a of this Act the corporations shall be bound to comply with all demands made upon them by said trustee pursuant to the provisions of said mortgage deed of trust.

- 29c. It is hereby declared that the bonds of the commission to the aggregate principal amount of five million eight hundred and sixteen thousand two hundred and five dollars (\$5,816,205.00) guaranteed as to the payment of both principal and interest by the Province of Ontario referred to in this Act, are legal, valid and binding outstanding obligations, and that the debentures heretofore issued by the corporations and deposited with the commission in respect of said bonds of the commission and the by-laws authorizing the issue thereof are legal, valid and binding upon the respective corporations and the ratepayers thereof and that the said debentures were issued and deposited with the commission in accordance with the agreement dated 1st January, 1920, and amendments thereof referred to in the recitals to this Act.

Validation
of bonds
and
debentures.

- 29d. Where under the provisions of the Acts, including this Act, agreements or mortgage deed of trust relating to the railway it is the duty of the council of any of the corporations to pass any by-law or resolution respecting any matter relating to the affairs of the railway and the council fails or neglects to pass the same within sixty days after being notified so to do, each member of the council, unless he shows that he made reasonable efforts to procure the passing of such by-law or resolution shall be liable to a penalty of not less than \$25 and not more than \$100 recoverable in the same manner as penalties for breach of the provisions of municipal by-laws under *The Municipal Act*.

Penalties.

Rev. Stat.,
c. 121.

- 29e. By-laws numbers 792 and 920 of the corporation of the township of Sandwich West are and each of them is confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-laws
Nos. 792
and 920,
Township of
Sandwich
West,
confirmed.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-
ment of Act.

SCHEDULE "B"

Name of Corporation	Column 1	Column 2 Sinking Fund	Column 3 Renewals	Column 4
	\$ c.	\$ c.	\$ c.	\$ c.
Township of Sandwich East.....	6,285 39	485 83	1,101 88	4,697 68
Township of Sandwich West.....	31,618 52	2,443 95	5,543 03	23,631 54
City of East Windsor....	48,603 95	3,756 85	8,520 73	36,326 37
Town of Walkerville....	78,145 02	6,040 23	13,699 56	58,405 23
Town of Sandwich.....	74,809 24	5,782 40	13,114 76	55,912 08
Town of Ojibway.....	5,476 36	407 73	1,296 51	3,772 12
Town of Amherstburg....	23,268 56	1,798 55	4,079 20	17,390 81
City of Windsor.....	271,786 07	21,007 76	47,646 66	203,131 65
Town of Tecumseh.....	9,574 09	740 04	1,678 43	7,155 62
Town of Riverside.....	19,972 36	1,543 77	3,501 35	14,927 24
Town of LaSalle.....	10,539 46	814 66	1,847 67	7,877 13
	580,079 02	44,821 77	102,029 78	433,227 47

CHAPTER 57.

An Act respecting the Hamilton Street Railway Company.

Assented to March 29th, 1932.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Hamilton Street Railway Company Act, 1932.* Short title.

2. The agreement dated 20th October, 1931, between the Hamilton Street Railway Company and the municipal corporation of the City of Hamilton set forth in the schedule to this Act is hereby confirmed and declared to be legal, valid and binding upon the parties thereto. Confirmation of agreement

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

SCHEDULE

This Agreement made in triplicate this Thirtieth day of October, 1931.

BETWEEN:

THE CORPORATION OF THE CITY OF HAMILTON hereinafter called the City,

of the first part;

—and—

THE HAMILTON STREET RAILWAY COMPANY hereinafter called the Company,

of the second part.

Whereas by By-law No. 3336 of the City, passed on the 25th day of May, 1926, and the Agreement therein referred to, the consent, permission and authority of the City were given and granted to the Company to provide a modern and efficient street railway and transportation system on the streets of the City, and by the terms of section 9 of the said Agreement, the Company must pay as therein provided, to the City, quarterly, four per centum of its gross receipts;

And

And whereas on the application of the Company, the Ontario Railway and Municipal Board issued its order dated 24th April, 1931, approving and permitting the operation by the Company of street railway cars operated by one employee on all routes of the Company's system;

And whereas the said order *inter alia* provides that the Company may operate street railway cars operated by one employee on the route known as the belt line route on and after January 2nd, 1932;

And whereas the City has made an application to the Board to vary the said order, and such application has from time to time been adjourned at the suggestion of the Board in order that some agreement may be arrived at between the parties as to what, if any, amendment should be made to the said order;

And whereas conferences have taken place between the City and the Company, and between the Company and its employees, which have resulted in an Agreement as hereinafter set out:

Now therefore this Agreement witnesseth that in consideration of the premises, the parties hereto have agreed as follows:

1. The Company consents to an Order being made by the Ontario Railway and Municipal Board amending the said Order dated 24th April, 1931, as follows:

(a) The word "September" in the second line of the paragraph numbered "2" be stricken out, and the word "November" substituted therefor.

(b) The figures "1932" following the word "January" in the third line of paragraph numbered "3," and in the eighth line of paragraph numbered "4" be stricken out, and the figures "1933" substituted therefor in each case.

2. The City hereby agrees that notwithstanding the provisions of section 9 of the Agreement dated 25th May, 1926, between the City and the Company, the Company shall not be required to pay to the City more than two and two-thirds per centum of its gross receipts in and for the year 1932, but save as aforesaid, the said Agreement shall remain in full force and effect.

3. The Parties hereto agree to join in an application to the Legislature of the Province of Ontario at its next Session for such legislation as may be necessary to confirm and ratify this Agreement and to declare the same to be valid, legal and binding upon the Parties hereto.

In witness whereof the Parties hereto have caused this Agreement to be executed by their duly authorized officers, and have affixed hereto their respective corporate seals.

SIGNED, SEALED AND DELIVERED

CORPORATION OF THE CITY OF
HAMILTON.

(SEAL)

(Signed) JOHN PEEBLES,
Mayor.

(Signed) S. H. KENT,
City Clerk.

THE HAMILTON STREET RAILWAY
COMPANY.

(SEAL)

(Signed) J. R. COOKE,
President.

(Signed) W. W. POPE,
Secretary.

CHAPTER 58.

An Act respecting the Town of Blind River.

Assented to March 29th, 1932.

WHEREAS the corporation of the town of Blind River Preamble.
has by its petition prayed for special legislation in
respect of the matters hereinafter set forth; and whereas it
is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and
consent of the Legislative Assembly of the Province of
Ontario, enacts as follows:

1. This Act may be cited as *The Town of Blind River Act*, Short title.
1932.

2. The special assessment rolls with respect to the works Special assessment,
mentioned in schedule "A" hereto, prepared pursuant to the rolls for
instructions of the council of the corporation of the town of certain local
Blind River as reviewed and corrected by the court of revision improve-
at the sittings thereof held on the 29th day of February, 1932, ments
and the 1st day of March, 1932, and the assessments confirmed.
contained in said special assessment rolls are hereby ratified
and confirmed and declared to be legal, valid and binding
upon the said corporation and the ratepayers thereof.

3. Each of the works mentioned in schedule "A" hereto Proceedings
shall conclusively be deemed to have been initiated, author- as to the
ized, undertaken and constructed under and in full compliance works
with the provisions of *The Local Improvement Act*. confirmed.
Rev. Stat.,
c. 235.

4. By-law number 261 of the said corporation passed on By-law No.
the first day of March, 1932, authorizing the borrowing of 261 and
\$336,502.26 by the issue of debentures to defray the cost of debentures
works mentioned in schedule "A" hereto, and all debentures confirmed.
issued or to be issued under said by-law are hereby confirmed
and declared to be legal, valid and binding upon the said
corporation and the ratepayers thereof.

5.—(1) By-law number 216 as amended by by-laws By-laws
numbers 232 and 244 of the said corporation authorizing the Nos. 216
and 260
confirmed.

borrowing

borrowing of money from The Royal Bank of Canada for the purposes of the said works and by-law number 260 of the said corporation consolidating, confirming and otherwise relating to the indebtedness of the corporation to the said bank authorizing the borrowing of a further sum of \$50,000 from the said bank and authorizing the hypothecation or pledging of debentures as security are hereby ratified and declared to be legal, valid and binding on the said corporation and the ratepayers thereof.

Notes given
for certain
loans
validated.

(2) That all promissory notes given or to be given by the said corporation in respect of moneys borrowed or to be borrowed from the said bank under the said by-laws numbers 216, 232, 244 and 260 are and shall be legal, valid and binding obligations of the said corporation and the ratepayers thereof.

Restriction
as to debenture
issues.

6. During the currency of the debentures issued under the authority of by-law number 261 mentioned in section 4, the said corporation shall not pass any further by-laws to borrow money by the issue of debentures or issue any debentures, other than those authorized by the said by-law, until the approval of the Ontario Municipal Board has first been obtained.

Commence-
ment of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."

Nature of Work	Street	From	To
Watermain with private water service pipes.	Causley Street.	Hawkins Street.	Woodward Ave.
"	Chiblow Street.	Hudson Street.	300' southerly.
"	Colonization Rd.	250' west of West Huron.	Hanes Ave.
"	Francis Street.	C.P.R. right-of-way	Bend in Francis St.
"	Hanes Ave.	Causley Street.	Lakeside Ave.
"	Hawkins Street.	Hudson Street.	Causley Street.
"	Hudson Street.	Lachore Street.	85' east of Chiblow Street.
"	Huron Street.	355' southerly from Leacock.	Blind River.
"	Indiana Ave.	113' southerly from West Street.	230' southerly from Colonization Rd.
"	Lakeside Ave.	Hanes Ave.	Westerly end of Lakeside Ave.
"	Lawton Ave.	Causley Street.	Woodward Ave.
"	Leacock Street.	Huron Street.	Queen Street.
"	Michigan Ave.	Hanes Ave.	200' westerly from West Street.

SCHEDULE "A."—*Continued.*

Nature of Work	Street	From	To
Sewer with private water service pipes.	Nadon Ave. Patten Street. Scott Street.	Francis Street. Colonization Road. Woodward Ave.	600' westerly. 460' southerly. 160' northerly from Murray Street.
" "	Togo Street.	Francis Street.	500' westerly from West Huron St.
" "	West Huron Ave.	300' south of Colonization Road.	North of Togo St.
" "	West Huron Ave.	300' south of Colonization Road.	397' north of Togo Street.
" "	Woodward Ave.	Causley Street.	148' northerly from Park Street.
" "	Centre Street. Lachore Street. Together with Steel	Indiana Ave. Hudson Street. Storage Tank and	Michigan Ave. Causley Street. Booster Station.
Sewer with private drain connections.	Centre Street. Chiblow Street. Colonization Road.	Indiana Ave. Hudson Street. 250' W. W. Huron Ave.	Lakeside Ave. Nameless Street. Hanes Ave.
" "	Francis Street. Hanes Ave. and outlet.	C.P.R. right-of-way Causley Street.	Bend in Francis St. Blind River.
" "	Hawkins Street. Hudson Street.	Hudson Street. Lachore Street.	Causley Street. 85' east of Chiblow Street.
" "	Huron Street.	355' S. Leacock Street.	Woodward Ave.
" "	Indiana Ave.	113' S. West Street.	230' S. Colonization Rd.
" "	Lakeside Ave.	Hanes Ave.	Westerly end of Lakeside.
" "	Lakeshore Road.	Lakeside Ave.	Southerly end of Lakeshore.
" "	Lawton Ave. Michigan Ave.	Causley Street. Hanes Ave.	Woodward Ave. 210' W. West Street.
" "	Nameless Street. Scott Street.	Chiblow Street. Woodward Ave.	Hawkins Street. 160' northerly from Murray.
" "	Togo Street and outlet.	560' westerly from W. Huron A.	Colonization Road.
" "	West Huron Ave.	300' S. Colonization Road.	Colonization Road.
" "	West Huron Ave.	100' N. Colonization Road.	397' N. Togo Street.
" "	Woodward Ave and outlet.	148' northerly from Park Street.	Blind River.
" "	West Street. River Street. Lachore Street.	Indiana Ave. Pump House. Hudson Street.	Michigan Ave. Woodward Ave. Causley Street.

CHAPTER 59.

An Act respecting the Town of Brampton.

Assented to March 29th, 1932.

Preamble.

WHEREAS the corporation of the town of Brampton has by its petition represented that certain doubts have arisen as to the validity of its by-laws number 980 to authorize the borrowing of \$4,410 upon debentures, number 981 to authorize the borrowing of \$14,089.22 upon debentures and number 982 to authorize the borrowing of \$12,259.36 upon debentures, to pay for the construction as local improvements of certain storm sewers, concrete sidewalks, sanitary sewers and pavements, and that it is desirable that the said by-laws and the debentures issued or to be issued thereunder should be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Town of Brampton Act, 1932.*

By-laws
Nos. 980, 981
and 982 and
debentures,
confirmed.

2. By-law number 980 of the corporation of the town of Brampton passed on the 27th day of January, 1932, to authorize the borrowing of \$4,410 upon debentures, by-law number 981 of the said corporation passed on the 27th day of January, 1932, to authorize the borrowing of \$14,089.22 upon debentures and by-law number 982 of the said corporation passed on the 27th day of January, 1932, to authorize the borrowing of \$12,259.36 upon debentures, to pay for the construction of certain storm sewers, concrete sidewalks, sanitary sewers, and pavements as local improvements, and the debentures issued or to be issued thereunder, respectively, are and each of them is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 60.

An Act respecting the City of Brantford.

Assented to March 29th, 1932.

WHEREAS the corporation of the city of Brantford has ^{Preamble.} by its petition represented that it has incurred a floating indebtedness to the extent of \$175,000, which has been created in part by the non-payment of taxes which have accrued due and in part by the inability of the municipal street railway system to meet payments falling due in respect of its capital debt; and that it would be unduly oppressive to the ratepayers of the said city to pay off the said floating debt forthwith and to pay in addition thereto the ordinary annual expenditures; and whereas the said corporation has prayed that the said floating debt be consolidated and that the said corporation be authorized to borrow by the issue of debentures an amount sufficient to discharge the said floating debt; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The City of Brantford Act, 1932.* ^{Short title.}

2. The floating debt of the corporation of the city of Brantford is consolidated at the sum of \$175,000, and the said corporation may borrow by a special issue of debentures ^{Debentures for floating debt.} a sum not exceeding \$175,000 for the purpose of paying the said floating debt.

3. The said debentures shall be made payable in not more than ten years from the date of issue thereof, and shall bear interest at a rate not exceeding six per centum per annum, payable half-yearly, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places in Canada as the corporation may deem expedient. ^{Term of debentures}

Special
rate to
retire
debentures.

4. The said corporation shall levy in each year during the period in which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application
of
proceeds of
debentures.

5. The debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose.

Assent of
electors
not
requisite.

6. It shall not be necessary to obtain the assent of the electors of the said city qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat.,
c. 233.

Irregularities
not to
invalidate.

7. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Commence-
ment of Act.

8. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 61.

An Act respecting the County of Carleton.

Assented to March 29th, 1932.

WHEREAS the corporation of the county of Carleton Preamble.
 has by its petition represented that it has incurred a floating debt of approximately \$193,200, which has accumulated over a period of years by reason of insufficient levies imposed in respect of permanent improvements and current requirements and expenditures of the corporation and by reason of certain unforeseen and uncontrollable expenditures imposed upon the municipality, and that to liquidate the said floating indebtedness forthwith in addition to meeting the ordinary annual expenditures would be unduly oppressive to the ratepayers of the said county, and has prayed that the said floating debt be consolidated and that the said corporation be authorized to borrow by the issue of debentures sufficient money to discharge the said floating debt; and whereas it is expedient to grant the prayer of the said petition;

1. This Act may be cited as *The County of Carleton Act*, Short title.
 1932.

2. The floating debt of the corporation of the county of Carleton is consolidated at the sum of \$193,200 and the said corporation may pass a by-law to borrow by a special issue of debentures a sum not exceeding \$200,000 for the purpose of paying the said floating debt. Debentures for floating debt.

3. The said debentures shall be made payable in not more than ten years from the date of issue thereof, and shall bear interest at a rate not exceeding six per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient. Term of debentures.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amounts payable for principal and interest in any year shall be equal as nearly as may be to the amount payable for principal and interest during each of the other years of the period within which the said debt is to be discharged. Type of debentures.

5. The said corporation shall levy in each year during the period within which the said debt is payable, in addition to Special rate to retire debentures.

all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application
of pro-
ceeds of
debentures.

6. The said debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose.

Assent of
electors not
necessary.

7. It shall not be necessary to obtain the assent of the electors of the said county qualified to vote on money by-laws to the passing of any by-law which may be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat.,
c. 233.

Irregularities
not to
invalidate

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the payment of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to
keep books.

9. It shall be the duty of the treasurer, for the time being, of the said county, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of the debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures, and the application which shall, from time to time, be made of the said amounts; and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said county and of any of the holders from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Restriction
as to
debenture
issues.

10. During the currency of the debentures issued under this Act the said corporation shall not pass any by-laws to borrow money by an issue of debentures, or issue any debentures, other than those authorized by this Act, until the approval of the Ontario Municipal Board has first been obtained.

Commence-
ment of Act

11. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 62.

At Act respecting the Town of Cobourg.

Assented to March 29th, 1932.

WHEREAS the corporation of the town of Cobourg has Preamble.
by petition prayed for special legislation in respect of
the matters hereinafter set forth; and whereas it is expedient
to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and
consent of the Legislative Assembly of the Province of
Ontario, enacts as follows:

1. This Act may be cited as *The Town of Cobourg Act, 1932.* Short title
2. The floating debt of the corporation of the town of Floating
Cobourg is consolidated at the sum of \$35,000 and the council debt con-
of the said corporation may pass by-laws to raise and levy solidated.
in each year on the whole rateable property within the Discharge
municipality according to the last revised assessment roll by special
during a period not exceeding ten years by special rates, rate.
over and above all other rates, a sum sufficient to produce
and pay the said floating debt in such equal or unequal
annual instalments with interest thereon as may be included
in the yearly estimates as hereinafter provided.
3. It shall be the duty of the council in each year com- Inclusion
mencing with the year 1932, and in every year until the of special
said floating debt has been paid, to include in the estimates rate in
for the year, a sum not less than one-tenth of the amount estimates.
of such floating debt with yearly interest thereon or on the
unpaid balance thereof, and to levy a special rate sufficient
to produce and pay the amount so included in the estimates.
4. All monies arising by reason of the levying of any such Application
rate shall be applied in payment of the said floating debt of special
and for no other purpose. rate.
5. The council may from time to time pass by-laws and Agreements
enter into agreements with the bankers of the corporation with bank
as to floating debt.

as may deemed necessary for the financing and payment of the said debt by instalments and interest thereon in the manner provided by the Act and for the making and giving of promissory notes or other evidences of obligation in respect of the said debt and interest.

Neglect of council to comply with provisions of this section.

6. If the council neglects, in any year, to levy the amount required to be raised under this Act or under any agreement entered into thereunder, each member of the council shall be disqualified from holding any municipal office for two years, unless he shows that he made reasonable efforts to procure the levying of such amount.

Mis-application of proceeds.

7. If the council applies any money raised under this section otherwise than as provided in section 4, the members who vote for such application shall be personally liable for the amount so applied, which may be recovered in any court of competent jurisdiction, and shall also be disqualified from holding any municipal office for two years.

Approval of Municipal Board necessary for further borrowing.

8. Until the said floating debt has been paid, the said corporation shall not pass any by-laws to authorize the borrowing of any moneys by the issue of debentures, nor shall it issue any debentures unless the approval of the Ontario Municipal Board has first been obtained.

Direction as to special rate.

9. The said Board may direct that in any year the council shall levy a special rate in excess of that required to be levied under section 3 for the purpose of paying the said floating debt.

Refund by united counties.

10. The said corporation shall be entitled to be paid by the united counties of Northumberland and Durham the sum of \$2,860 representing an over-assessment of the said town for the purposes of county rates for the year 1931, and the council of the said counties is authorized to make the said payment, the same to be made on or before the 30th day of June, 1932.

Counties equalization excluding business assessment.

11. Notwithstanding the provisions of *The Assessment Act*, the equalized assessment of the said united counties upon which county rates for the year 1932 shall be rated, in addition to excluding therefrom income assessments, shall with respect to all municipalities forming the said united counties also exclude business assessments, and the council of the said united counties may in any year thereafter exclude business assessments in all municipalities forming the said united counties from the equalised assessment of the counties for all purposes of county rates.

Commencement of Act.

12. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 63.

An Act respecting the Township of Crowland.

Assented to March 29th, 1932.

WHEREAS the corporation of the township of Crowland Preamble.
 has by its petition prayed for special legislation to
 authorize the establishment of water areas and sewer areas
 in defined portions of the township, and the construction of
 waterworks systems and sewerage systems and sewage
 disposal works to serve such areas and to provide for the
 assessment of the cost of said works, and the issue of debentures
 to meet the cost thereof, and to authorize agreements
 with other municipalities respecting joint sewage disposal
 works and joint use of sewer and joint waterworks and water
 supply systems, and also in respect to the other matters herein-
 after mentioned; and whereas it is expedient to grant the
 prayer of the said petition;

Therefore, His Majesty, by and with the advice and
 consent of the Legislative Assembly of the Province of
 Ontario, enacts as follows:—

1. This Act may be cited as *The Township of Crowland* Short title.
Act, 1932.

2. The council of the corporation of the township of Crowland may from time to time pass by-laws to set apart and establish as a water area or as a sewer area any portion of the township described in such by-law, to construct, enlarge, extend, improve and operate waterworks systems within or outside of any water area or areas to serve such water area or one or more water areas or lands situate therein and to construct, enlarge, extend, improve and operate sewerage systems and sewage disposal works within or outside of any sewer area or areas to serve such sewer area or one or more sewer areas or lands situate therein. Creation of water and sewer areas and construction of works.

3.—(1) The entire cost of the construction, enlargement, extension, improvement, operation, maintenance, management and repair of any such waterworks systems or of any such sewerage systems or sewage disposal works save and Assessment of cost.

except

Rev. Stat.,
c. 235.

except such works as are undertaken pursuant to the provisions of *The Local Improvement Act* as hereinafter provided, shall be assessed and levied upon all the rateable property in the area or areas to serve which such works have been undertaken, provided that where such works are undertaken to serve more than one area the council shall by by-law determine the portion of the cost thereof to be borne by each of such areas.

Application
of revenues.

(2) The revenues arising from the operation of any such works shall form a special fund for the use of the area to serve which such works have been undertaken. Provided that that where such works have been undertaken to serve more than one area the said revenues shall be apportioned between or among the areas served in the same proportions as they contributed to the cost of the construction of such works.

Term of
debentures.

4. Where the whole or any portion of the cost of any work is assessed against all the rateable property in any area or areas, the debentures issued to provide for the payment of the cost so assessed may be made payable within thirty years from the date of issue of such debentures.

Certain
works as
local
improve-
ments.

5. The council may undertake within any water area or areas the construction of waterworks, watermains and necessary appliances and accessories and private drain connections and within any sewer area or areas the construction of sewers and necessary appliances and accessories and private drain connections as local improvements pursuant to the provisions of *The Local Improvement Act*, provided that:

Rev. Stat.,
c. 235.

Exceptions
from Rev.
Stat., c. 235.

(a) Except as in this section otherwise expressly provided where a work is constructed to serve lands situate entirely within one area, that part of the cost which would otherwise be the corporation's portion of the cost shall be assessed upon all the rateable property in the area and the remainder of the cost of such work shall be specially assessed upon the lots within such area fronting or abutting directly on or served by the work.

Cor-
poration's
portion
of cost
assessable
to area.

Apportion-
ment of cost
among areas.

(b) Where a work is constructed to serve lands situate within more than one area, the council shall by by-law determine the portion of cost to be borne by each area, and such respective portions shall be assessed in such areas in the manner in this section provided.

Fixed
frontage
rate.

(c) The council may by by-law passed at any general or special meeting by a vote of three-fourths of all the members of the council provide that a certain annual

rate

rate per foot frontage in satisfaction of the owners' portion of the cost shall be assessed upon, levied and collected from the lots fronting or abutting directly on or served by the watermains or sewers constructed in the area designated in such by-law during the currency of the debentures issued to pay for the cost of such watermains or sewers and that the remainder, if any, of the cost not provided for by such annual rate, shall be assessed and levied upon all the rateable property in the area, provided that if in any case such annual rate per foot frontage shall be more than sufficient to provide for the actual cost of the watermains or sewers the surplus resulting therefrom shall be deposited to a special account to be used by the council for the benefit of such area. Any such by-law shall not be repealed or amended except by a vote of three-fourths of all the members of the council.

- (d) In any notice of council published, served or mailed pursuant to sections 10, 12, 37 or 42 of *The Local Improvement Act* in respect to the construction of watermains or sewers it shall not be necessary to show the portion of the cost, actual or estimated, which is to be borne by the corporation or the area, but it shall be sufficient to show the estimated cost of the work and the estimated cost thereof per foot frontage. ^{Publication of notices.}
- (e) After a work undertaken has been completed it shall during its lifetime be maintained, managed and kept in repair by and at the expense of the area for the benefit of which it is constructed, or if constructed for the benefit of more than one area then at the expense of the areas in proportion to their respective shares of the cost of the construction thereof. ^{Maintenance of work.}
- (f) The debentures issued for the sums borrowed to defray any portion of the cost of any work which is assessed against all the rateable property in any area may be made payable within thirty years from the date of issue thereof if issued separately from the debentures issued to defray the portion of the cost which is specially assessed upon the lands fronting or abutting directly on or served by such work. ^{Debentures.}

6. The council may agree with any bank or person for temporary advances to meet the cost of any of the works hereby authorized pending the completion thereof, and the council may when the work undertaken is completed borrow on the credit of the corporation at large such sums as may be

necessary

necessary to repay such advances and to defray the cost of the work undertaken including the items of cost referred to in subsection 2 of section 20 of *The Local Improvement Act*, and may issue debentures for the sums so borrowed.

Deficiency
in rates.

7. If in any year the amount realized from the rates imposed to provide for the cost of any work and the interest thereon is insufficient to pay the amount falling due in such year in respect of the debentures issued to pay for the cost of such work, the council shall provide for the deficiency in the estimates for the current or the following year, and levy and collect the same by a general rate on all the rateable property in the municipality, but this shall not relieve the land in such area or areas so assessed and upon which the said rates are imposed from payment of the said rates.

Rev. Stat.,
c. 235, ss. 46
and 47, to
apply.

8. The provisions of sections 46 and 47 of *The Local Improvement Act* shall apply *mutatis mutandis* to the works undertaken and debentures issued under this Act.

Alteration
of areas.

9. The council of the township of Crowland may from time to time pass by-laws to enlarge or reduce any defined area by annexing thereto such portion or portions of the said township or of any area or by withdrawing therefrom such portion or portions of the area as may be designated in the by-law, or to amalgamate any two or more areas or parts thereof, or to subdivide, vary, or alter any one or more areas, upon such terms and conditions and with such adjustments of rates as may be provided in the by-law.

Joint works
under agree-
ment with
other muni-
cipalities.

10.—(1) The said corporation and the corporation of any adjacent municipality may enter into agreements for the construction, enlargement, extension, improvement, operation and maintenance of sewage disposal works, plant, appliances and accessories in connection therewith for the joint use of any sewer area or areas in the said township or in such other municipality, and the portion of the cost of the construction, enlargement, improvement and extension of such works and of the operation and maintenance thereof payable by the said corporation as fixed by such agreement shall be assessed and levied upon all the rateable property in such sewer area or areas as the case may be in the said township, as provided in section 3, and the revenue payable to the said township under any such agreement shall be credited to the sewer area charged with the said cost, or if more than one area, then to such areas in proportion to their respective shares of the said cost.

Sewage
agreements
(outside
sewers).

(2) The said corporation and the corporation of any adjacent municipality may enter into agreements for the admission of sewage from the said township into the sewers

and

and sewerage works of such other municipality, and all cost, charges and expenses in connection therewith shall be assessed and levied on all the rateable property in the area in the said township benefited thereby, or if more than one area, then on all the rateable property in such areas in such proportion as the council may by by-law determine.

(3) The said corporation may enter into agreements with the corporation of any adjacent municipality for the admission of sewage from such other municipality or municipalities into the sewers and sewerage works of the said township, and in such event the revenue arising therefrom shall be credited to the sewer area of the said township into whose sewers or works the sewage is admitted, or if more than one area then to such sewer areas in such proportion as the council may by by-law determine.

Sewage agreements (township sewers).

11. The said corporation may enter into agreements with any other municipal corporation for a supply of water to serve the waterworks systems and sewers and sewerage systems constructed, maintained and operated under the authority of this Act, and all cost, charges and expenses in connection therewith may be assessed and levied on all the rateable property in the area benefited thereby or, if in more than one area, then on all the rateable property in such areas in such proportions as the council may by by-law determine.

Water supply agreements with other municipalities.

12.—(1) It shall not be necessary to submit for the assent of the electors any by-law passed pursuant to the provisions of this Act but no by-law to set apart and establish a water area or a sewer area pursuant to this Act or to apportion the cost of any work between two or more areas or parts thereof or to declare the desirability of undertaking or to undertake the construction of any work hereinbefore mentioned shall be valid unless the same has been passed at a meeting of the council by vote of two-thirds of all the members thereof.

Requirements as to by-laws establishing areas and undertaking works.

(2) Where the council passes any such by-law, twenty-five per centum of the owners representing one-quarter the total rateable assessment of such area or areas to be assessed therefor being dissatisfied with the establishment of a proposed water area or sewer area or with the proposed apportionment of cost of works for two or more areas or with the proposed work or with the manner in which it has been undertaken may by petition apply to the Ontario Municipal Board for relief and the Board may thereupon investigate the complaint and make such order with respect to the proposed scheme or work as may seem proper and after notice to the clerk of the said township of the application and pending its determination by the Board the council shall not proceed with

Petition to Municipal Board.

the proposed scheme or work, or pass any by-laws in respect thereto.

Sufficiency
of petition.

(3) The sufficiency of such petition shall be determined in the manner provided by section 15 of *The Local Improvement Act*.

Filing of
petition.

(4) Such petition shall be deposited with the secretary of the Board within twenty-one days after publication of notice of the council's intention to pass a by-law for any of the purposes referred to in subsection 1.

Passing
of by-law
and publica-
tion of
notice.

(5) A by-law for any of the purposes referred to in subsection 1 shall not be passed until the expiry of twenty-one days after publication of the notice referred to in subsection 4, and such notice shall substantially be in the same form and to the same intent as the form of notice required to be published pursuant to section 10 of *The Local Improvement Act* with such amendments therein as may be requisite for the purposes of this section.

Installation
of sanitary
con-
veniences.

13. Where the local board of health of the said township recommends that sanitary conveniences should be installed in any building, and is of the opinion that the owner of the premises is unable to pay the expense of the same at once, the council of the said corporation may install suitable sanitary conveniences at the expense of the owner and may direct that the cost, including interest at a rate not exceeding six per cent. per annum on the deferred payments, be paid by the owner in equal successive annual payments extending over a period of not exceeding five years, and thereupon such annual payments shall be added by the clerk of the said corporation to the collector's roll for taxes and collected in like manner as municipal taxes.

Rev. Stat.,
c. 233, s. 306,
not to apply
to any rates
imposed
under this
Act.

14. All rates imposed and levied pursuant to the provisions of this Act shall be deemed to be local improvement rates for the purposes of section 306 of *The Municipal Act* and no rate levied pursuant to this Act shall be deemed to be included in the rate of two and a half cents in the dollar referred to in said section 306 for the purpose of determining whether the council may contract any further debts, and any debt may be contracted pursuant to the provisions of this Act notwithstanding the limitations prescribed by said section 306.

By-laws and
debentures,
confirmed.

15. By-laws numbers 232-A, 233, 238 and 240, for 1931, of the said corporation to provide for the establishment of sewer area number 1 of the said township and for the issuing of debentures to pay for the construction of sewers in the said area, are hereby ratified and confirmed and declared to be

legal, valid and binding upon the corporation and the rate-prayers thereof.

16. By-laws numbers 250, 251, 252, for 1932, of the said corporation to provide for the establishment of sewer area number 2 of the said township and for the construction of sewers therein, are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof. By-laws confirmed.

17.—(1) All sales of land within the said township made prior to the 31st day of December, 1930, purporting to have been made by the corporation of the township of Crowland or by its treasurer for arrears of taxes in respect to the land so sold are hereby validated and confirmed, and all conveyances of land so sold executed by the reeve, treasurer and clerk of the said corporation purporting to convey the said lands so sold to the purchaser thereof, or his heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold. Tax sales and conveyances, confirmed.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this had not been passed. Pending litigation not affected.

18. The provisions of this Act, other than section 17, shall come into force on the day upon which it receives the Royal Assent. Section 17 shall come into force on the 1st day of July, 1932. Commencement of Act.

CHAPTER 64.

An Act respecting the Township of East Whitby.

Assented to March 29th, 1932.

Preamble.

WHEREAS the corporation of the township of East Whitby has by its petition represented that it has incurred a floating indebtedness to the amount of \$82,500 which has accumulated during recent years and has been created by reason of uncollected taxes, insufficient yearly levies, and expenditures incurred by the township in unemployment works for which no debentures were issued, and that to pay off the said floating debt forthwith and to pay in addition thereto the ordinary annual expenditures would be unduly oppressive to the ratepayers of the said township; and the said corporation has prayed that the said floating debt be consolidated and that the said corporation be authorized to borrow by the issue and sale of debentures sufficient money to discharge said floating debt, or to assess and levy a special rate on the whole rateable property within the municipality each year and from year to year sufficient to pay, and until there shall have been paid, the said floating debt in addition to all debts of the municipality falling due within the year; and whereas the said corporation has by its petition prayed for special legislation in respect to certain other matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Township of East Whitby Act, 1932.*

Floating debt consolidated.

2. The floating debt of the corporation of the township of East Whitby is consolidated at the sum of \$82,500 and the said corporation may borrow by a special issue of debentures a sum not exceeding \$85,000, for the purpose of paying the said floating debt.

Term of debentures and interest.

3.—(1) If the said corporation shall issue debentures for the purpose of paying the said floating debt, as aforesaid,

the

the said debentures shall be made payable in not more than ten years from the date of issue thereof, and shall bear interest at a rate not exceeding six per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

(2) The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to the amount payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Equal
annual
instalments
of principal
and interest.

(3) The said corporation shall levy in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Special rate.

(4) The debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose.

Application
of proceeds
of debentures.

(5) No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest, or any part thereof, and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Irregularity
in form not
to invalidate.

(6) It shall be the duty of the treasurer for the time being, of the said township, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures, and the application which shall, from time to time, be made of the said amounts; and the said book of account and statement shall at all times, and at all reasonable hours, be

Treasurer to
keep proper
books of
account.

open to the inspection of any ratepayer of the said township, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

By-law to raise and levy special rate in lieu of debentures.

4.—(1) In lieu of issuing debentures for the purpose of paying the said floating debt the said corporation may pass by-laws to raise and levy in each year on the whole rateable property within the municipality during a period not exceeding ten years by special rates, over and above all other rates, a sum sufficient to pay the said floating debt in such equal or unequal annual instalments and the interest thereon, or on the unpaid balance thereof, as may be included in the yearly estimates as provided in subsection 2.

Duty of Council.

(2) If the said corporation proceeds under subsection 1 it shall be the duty of the council in each year commencing with the year 1932 and in every year until the said floating debt is paid, to include in the estimates for the year a sum not less than one-tenth of the amount of the said floating debt with yearly interest thereon or on the unpaid balance thereof, and to levy a special rate sufficient to produce and pay the amount so included in the estimates.

Application of proceeds of special rate.

(3) All moneys arising by reason of the levy of any such special rate shall be applied only in payment of the said floating debt and interest thereon.

Agreements as to payment of floating debt.

(4) The council of the said corporation may, from time to time, pass by-laws to authorize agreements and may enter into the same with the bankers of the corporation, as may be necessary for the financing and payment of the said floating debt by instalments and for interest thereon in the manner provided in this section and for the giving of promissory notes or other evidences of obligation in respect of the said debt and interest.

Neglect of Council to comply with provisions of this section.

(5) If the corporation proceeds under this section and the council neglects, in any year, to levy the amount required to be raised under this section or under any agreement entered into thereunder, each member of the council shall be disqualified from holding any municipal office for two years, unless he shows that he made reasonable efforts to procure the levying of such amount.

Mis-application of proceeds.

(6) If the council applies any money raised under this section otherwise than as provided in subsection 3, the members who vote for such application shall be personally liable for the amount so applied, which may be recovered in any court of competent jurisdiction, and shall also be disqualified from holding any municipal office for two years.

5. Until the said floating debt has been paid, the said corporation shall not pass any by-laws to authorize the borrowing of any moneys by the issue of debentures, nor shall it issue any debentures, other than those authorized by this Act, unless the approval of the Ontario Municipal Board has first been obtained.

Approval of
Municipal
Board
necessary for
further
borrowing.

6. The said Board may direct that in any year the council shall levy a special rate in excess of that required to be levied under section 4 for the purpose of paying the said floating debt.

Direction as
to special
rate.

7. The said Board may direct that any two or more offices of the said corporation, shall be combined and held by one officer, and may subsequently separate any of the offices so combined.

Combination
of offices.

8. Any order made, or approval given by the said Board, under this Act shall be final and conclusive and binding upon the corporation and the ratepayers thereof and no appeal shall lie therefrom.

Order of
Municipal
Board to be
final.

9. It shall not be necessary to obtain the assent of the electors of the said township qualified to vote on money by-laws to any by-laws passed, or agreements entered into under the authority of this Act, or to observe with respect thereto the formalities prescribed by *The Municipal Act*.

Assent of
electors not
necessary.

Rev. Stat.,
c. 233.

10. The provisions of this Act shall prevail notwithstanding anything to the contrary or conflicting therewith in any general Act.

Provisions of
this Act to
prevail.

11. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-
ment of Act.

CHAPTER 65.

An Act respecting The City of East Windsor.

Assented to March 29th, 1932.

Preamble.

WHEREAS the corporation of the city of East Windsor has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is deemed expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of East Windsor Act, 1932.*

Election
of council
and school
boards by
general vote.

2.—(1) The council of the corporation of the city of East Windsor may, by by-law passed not later than the 1st day of November in any year, provide that all the members of the council and of the public school board and of the separate school board shall be elected by general vote, and thereafter and until any such by-law is repealed, the council shall be composed of a mayor and nine aldermen and the public school board and separate school board shall each be composed of six trustees.

Assent of
electors not
requisite.

(2) Any by-law passed under subsection 1 shall not require the assent of the electors.

No repeal
for three
years.

(3) A by-law passed under subsection 1 shall not be repealed until at least three annual elections have been held under it.

When repeal
by-law may
be passed.

(4) A by-law repealing any such by-law passed under subsection 1 shall be passed not later in the year than the 1st day of November and shall not be passed unless it has received the assent of the electors.

Date
by-laws
effective.

(5) Every such by-law including a repealing by-law shall take effect at and for the purposes of the annual election next after the passing thereof.

3.—(1) All sales of land situate within the municipality held prior to the 31st day of December, 1930, and purporting to have been made for arrears of taxes payable to the corporation in respect to the lands so sold are confirmed and declared to be legal, valid and binding and all conveyances of land so sold executed as required by *The Assessment Act* purporting to convey the said lands to the purchaser thereof or his heirs or assigns or to the corporation, are also confirmed and declared to be legal, valid and binding and shall have the effect of vesting the lands so sold and same are hereby vested in the purchaser or his heirs or assigns and in his heirs and assigns or in the corporation, and its successors and assigns, as the case may be, in fee simple or otherwise, according to the nature of the estate or interest sold free and clear of and from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were so sold.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this section had not been passed.

4. By-law number 1050 of the said corporation providing for the issue of prepayment certificates in respect of rates and taxes payable to the corporation for the year 1932 is hereby confirmed and declared to be legal, valid and binding upon the corporation and the ratepayers thereof.

5. By-law number 1053 of the said corporation authorizing the construction of the widening of part of Tecumseh Road is hereby declared to be legal, valid and binding on the corporation and the ratepayers thereof.

6.—(1) To remove doubts, it is hereby declared that the provisions of *The City of East Windsor Act, 1931*, the orders of the Board of Railway Commissioners for Canada therein referred to and by-law number 975 of the said corporation thereby validated and confirmed, extend to, among others, the following works, namely:

- (a) The work described in by-law number 996 of the corporation;
- (b) The approaches to the subway authorized to be constructed by said by-law number 975 and by the said orders of the Board of Railway Commissioners for Canada;

(c)

(c) All works necessary for or incidental to or arising out of the construction of the said subway.

(2) It is hereby declared that the said corporation, by reason of the said *City of East Windsor Act, 1931*, had from the date of the final passing of said by-law 975 and now has authority to undertake the construction of all works necessary for or incidental to or arising out of the construction of the said subway and approaches thereto and any by-laws passed by the corporation for any such purpose or purposes are hereby ratified and confirmed and declared to be legal and binding upon the corporation and the ratepayers thereof.

(3) Subject to *The Ontario Municipal Board Act, 1932*, nothing in this section contained shall be deemed to take away the rights, if any, against the said corporation to which any person may be found to be entitled upon the final determination of any litigation now pending between such person and the said corporation in respect of any work undertaken by the said corporation which is held in such litigation not to have been authorized by *The City of East Windsor Act, 1931*, the orders of the Board of Railway Commissioners for Canada therein mentioned or said by-law number 975.

7. Where since the 1st day of October, 1931, the corporation or any officer thereof by reason of the corporation making default in meeting its obligations has done or omitted to do any act and the same or the validity or regularity thereof is in any way questioned, the Ontario Municipal Board may by its order validate the same and any proceeding in connection therewith, and upon such order being made all such acts done or omitted to be done which had they been done or omitted to be done after the date upon which *The Ontario Municipal Board Act, 1932*, comes into force would have been authorized by such Act shall be deemed to have been done or omitted under the authority of such Act and the same and any proceedings in connection therewith shall not be questioned in any court.

Commence-
ment of Act.

8. This Act, other than section 3, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1932.

CHAPTER 66.

An Act respecting the Township of East York.

Assented to March 29th, 1932.

WHEREAS the corporation of the township of East Preamble
 York has by its petition prayed for special legislation
 in regard to the matters hereinafter set forth; and whereas
 it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and
 consent of the Legislative Assembly of the Province of
 Ontario, enacts as follows:

1. This Act may be cited as *The Township of East York* Short title.
Act, 1932.

2.—(1) Subject to the approval of the Ontario Municipal Election
 Board, the council of the corporation of the township of by wards.
 East York may pass a by-law or by-laws dividing the said
 township into three wards, having such boundaries as it
 may deem expedient. The said wards shall be numbered
 One to Three.

(2) In the event of such by-law being passed, notwithstanding Composition
 the provisions of section 50 of *The Municipal Act* and of council.
 subsection 1 of section 51 of the said Act as enacted by section Rev. Stat.,
 2 of *The Municipal Amendment Act, 1930*, and as amended by c. 233, ss. 50,
 subsection 1 of section 5 of *The Municipal Amendment Act,* 51.
1931, the said council shall at and from the next election
 thereafter, consist of a reeve, who shall be elected by general
 vote of all the electors entitled to vote at municipal elections
 in said township, and six councillors. Two councillors shall be
 elected for each ward by vote of the electors entitled to vote
 at municipal elections in such ward.

(3) The nomination of candidates for councillors in each Nominations
 of the wards shall be held at the same time and place as the and ballots.
 nomination of candidates for reeve. There shall be prepared
 one set of ballot papers for all polling subdivisions containing
 the names of the candidates for reeve and another set for all
 polling subdivisions in each ward containing the names of
 the candidates for councillors. The form of ballot papers

shall

Rev. Stat.,
c. 233,
Form 3.

County
council
repre-
sentation.

Rev. Stat.,
c. 233, s. 45.

shall, *mutatis mutandis*, be according to form 3 set out in *The Municipal Act*.

(4) Notwithstanding the provisions of *The Municipal Act*, the council shall at its first meeting in each year appoint one of its members to be the deputy reeve of the township, and the deputy reeve so appointed shall be a member of the council of the county of York in the same manner and with the same rights, privileges and powers as if he had been elected deputy reeve in accordance with the provisions of the said Act, and for all other purposes the said deputy reeve shall have the same rights, powers and privileges and perform and be subject to the same duties and obligations as if he had been elected in accordance with the provisions of *The Municipal Act*, and if a vacancy occurs in the said office, the council shall forthwith fill the same by appointing one of its members thereto.

When by-law
effective.

(5) Any by-law for the purposes mentioned in this section shall be passed not later in the year than the first day of November and shall take effect at and for the purpose of the next and each succeeding annual election after the passing thereof.

Annexation
of whole
township.

3. Subject to the provisions of any general or special Act which may be then in force requiring the assent of the council of the said corporation before any part of it is annexed to an adjoining municipality, the Ontario Municipal Board, on the application of the council of the corporation of the city of Toronto or of the said council, may, by order to take effect from a day to be named therein, annex to the city of Toronto, the whole of the said township, on such terms and conditions as may be agreed upon between the said councils.

Tax
sales and
conveyances,
confirmed.

4.—(1) All sales of land within the township of East York made prior to the 31st day of December, 1930, which purport to have been made by the said corporation or by its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold, executed by the reeve and treasurer of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns, or to the said corporation shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accrued or accruing after those for non-payment of which the said lands were sold.

(2) Nothing in this section contained shall affect or prejudice the rights of any person in any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed. Pending litigation not affected.

5.—(1) The council of the said corporation may pass a by-law or by-laws for the purpose of constituting a board of commissioners of police for the said township. Police Commission.

(2) The board shall consist of the reeve, such one of the judges of the County Court or the county of York, and such magistrate having jurisdiction in the township of East York as may be designated by the Lieutenant-Governor in Council to be members of the board. Composition of board.

(3) The council of the said township may provide for the payment of a reasonable remuneration to each of the members of the board for his services as a member of the board. Remuneration.

(4) The said by-law or by-laws of the council may at any time be repealed and if repealed, the board shall, on and from the first day of January next after the passing of the repealing by-law, be dissolved. Dissolution of board.

(5) Sections 360, 361, 362, 363, 365, 366, 367 and 368 of *The Municipal Act* shall apply, *mutatis mutandis*, to the board and the board shall have the powers which are by such sections conferred on boards of commissioners of police in cities and towns. Application of certain Sections of Rev. Stat., c. 233, to board.

6.—(1) Notwithstanding the provisions of *The Assessment Act*, the council of the said corporation may by by-law provide for taking the assessment of income between the 1st day of January and the 15th day of March in each year, the rolls for such income assessment in such case being returnable to the clerk on or before the 1st day of April in each year. Period for assessment of income. Rev. Stat., c. 238.

(2) Any such by-law shall provide for holding of a court of revision to hear appeals from any assessment of income in the manner provided by *The Assessment Act*, upon the return of such assessment roll to the clerk. The time for appeal to the court of revision shall be within ten days after the last day fixed for return of the said roll and the time for appealing from the court of revision to the county judge shall be within three days after the decision of the court of revision is given. Appeals from income assessment. Rev. Stat., c. 238.

(3) The assessment of income so made and completed in any year, whether or not it is completed by the time herein provided, shall, upon its final revision, be the assessment Income tax levy.

of income on which the rate of taxation of income for such year shall be levied by the said council and the assessment roll thereof with the assessment roll of real property and other assessments made for the same year shall when both thereof are finally revised together form the last revised assessment roll of the whole rateable property within the municipality within the meaning and for the purposes of *The Municipal Act*, *The Assessment Act* and any other general or special Act.

Effective
date.

(4) This section shall be read and construed as having effect on, from and after the 1st day of January, 1932.

Commence-
ment of Act.

7. This Act, other than section 4, shall come into force on the day upon which it receives the Royal Assent. Section 4 shall come into force on the 1st day of July, 1932.

CHAPTER 67.

An Act respecting the Village of Fergus.

Assented to March 29th, 1932.

WHEREAS the corporation of the village of Fergus has represented by its petition that it is in the interests of the inhabitants of the said village for the said corporation to acquire the Alexandra Hospital situate in the said village heretofore and for upwards of thirty years owned by Abraham Groves, M.D., and operate the same as a public hospital and that for such purpose the said corporation has entered into an agreement with the said Abraham Groves and that at a public meeting of the said inhabitants the said proposal and agreement received their approval and that to carry out the said purpose the said corporation has prayed for the special legislation hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition; Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Village of Fergus Act, 1932*. Short title.

2. The agreement between the corporation of the village of Fergus and Abraham Groves set out in schedule "A" to this Act is hereby validated and confirmed and declared to be binding upon the parties thereto and the said corporation is hereby authorized and empowered to accept from the said Abraham Groves a conveyance of the lands and premises in the said village known as the Alexandra Hospital and particularly described in the said agreement, and a transfer of the equipment of said hospital subject as in said agreement provided, and to hold such property and operate and maintain the same as a public hospital under the name of "The Groves Memorial Hospital." Acquisition of hospital.

3. The conduct and management of the affairs of the said hospital and of all its properties and assets shall be vested in a commission of five trustees to be known as The Groves Memorial Hospital Commission to be composed of the reeve for the time being of the said village and four members to Management of hospital by commission.

be appointed by the council of the said corporation at the first meeting held next after the date when this Act shall come into force to hold office for the year 1932 and thereafter to be appointed annually and at the first meeting in each year of the said council. The appointed members shall hold office until their successors are appointed and vacancies from any cause in the office of any of the appointed members of the commission shall be filled by the council.

Power to
acquire
property,
1931, c. 78.

4. Subject to *The Public Hospitals Act, 1931*, the said corporation shall have the right and power to acquire such further real estate or other property or equipment as it may from time to time consider necessary for the purposes of the said hospital and to erect and maintain such buildings as may be necessary for such purpose.

Issue of
debentures
for improve-
ments.

Rev. Stat.,
c. 233.

5. The said corporation may from time to time by by-law passed with the assent of the electors qualified to vote on money by-laws in accordance with the provisions of *The Municipal Act*, borrow upon debentures of the corporation such sums of money as may be necessary for renewing, improving, enlarging or adding to the said hospital and the equipment thereof.

Investments.

6. The said corporation may invest in such authorized trustee securities as may be deemed advisable, any or all moneys which may at any time come into its possession in connection with the said hospital or may deposit the same in any chartered bank or other financial institution authorized to accept such deposits.

Nurses'
training
school.

7. Subject to the approval of the Minister of Health for Ontario being obtained and while such approval remains in force, the said corporation may in connection with the said hospital maintain and conduct a training school for nurses and may provide for the issue of certificates or diplomas to nurses educated therein and graduating therefrom, and generally to do all things necessary or usual to be done in the maintenance and operation of a general hospital and to provide funds therefor by imposing rates on all rateable property within the said village.

Gifts, etc.

Rev. Stat.,
c. 132.

8. Subject to *The Mortmain and Charitable Uses Act* the said corporation shall be capable of receiving and taking from the Crown and from any person or body corporate by grant, gift, advance or otherwise, any land or interest in land, or any goods, chattels, moneys or effects for the use, support or purposes of the hospital, and all persons or bodies corporate shall have full and unrestricted right to give, grant advance and bequeath to the said corporation any land or interest in

land or in goods, chattels, moneys or effects for use in connection with the construction, operation or maintenance of the said hospital.

9. Subject to *The Public Hospitals Act, 1931*, the said commission shall have full conduct and management of the said hospital with power to appoint and to remove at pleasure the secretary or bursar, the medical and other superintendents and their assistants and clerks and all other officers and servants whom it may deem proper to engage for the purpose of the said hospital, and to fix the salaries and wages to be paid, and to regulate their privileges and duties, and to have the general control, direction and management of the said hospital, including the fees to be charged patients for accommodation in the said hospital, and of the expenditure of all moneys received or provided for the construction or improvement of the said hospital and for the operation and maintenance of the same; subject however to the said commission accounting to the council of the said corporation for all moneys received or paid out by the said commission and making a report to the said council of the work performed by the commission, such statements and reports to be furnished to the council at such times as it may require.

Management powers of commission. 1931, c. 78.

10. Notwithstanding the provisions of this Act where any of them conflict with the provisions of *The Public Hospitals Act, 1931*, the latter shall prevail.

Provisions of Public Hospitals Act to prevail.

11. This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

SCHEDULE "A"

Agreement made this 29th day of June, 1931.

BETWEEN:

DR. ABRAHAM GROVES OF THE VILLAGE OF FERGUS IN
THE COUNTY OF WELLINGTON,

of the first part;

—and—

THE CORPORATION OF THE VILLAGE OF FERGUS,

of the second part.

The said Abraham Groves the owner of the lands and premises herein-after described upon which is located the Alexandra Hospital—conditionally upon the said Corporation procuring to be passed within twelve months from the date hereof legislation enabling it to operate the said premises as a public hospital—agrees with the Corporation of the Village of Fergus to convey to the said Corporation free from all dower and other encumbrance the said lands and premises and the appurtenances thereto belonging and appertaining in fee simple and assign to the said Corporation absolutely and free from encumbrance the equipment of the said hospital, the said conveyance and assignment to contain a provision that in the event of the said Corporation ceasing to operate the premises as a public hospital at any time for a continuous period of twelve months then the said lands and premises and hospital equipment shall revert to the said Dr. Abraham Groves, his heirs, executors, administrators and assigns, and a further provision permitting the said Dr. Abraham Groves during his life to consult patients and put up medicine in the consulting room of the said hospital.

And the said Corporation agrees with the said Abraham Groves with all reasonable expedition to endeavour to procure to be passed such enabling legislation and upon conveyance of said lands and premises and assignment of said hospital equipment being made to the said Corporation to operate the said premises as a public hospital continuously.

The said lands and premises may be described as commencing on the northerly side of Union Street and on the easterly side of Gowrie Street at the intersection of Gowrie Street with Union Street; thence in an easterly direction along the northerly side of Union Street three hundred and twelve feet more or less to a stake; thence in a northerly direction parallel with Gowrie Street to the top of the bank of the Grand River; thence down stream along the top of the bank of the Grand River to the easterly side of Gowrie Street and thence along the easterly side of Gowrie Street to the place of beginning save and except those portions thereof heretofore conveyed to the Corporation of the Village of Fergus and to Stella Watt.

In witness whereof the party hereto of the first part has hereunto set his hand and seal and the party of the second part its corporate seal.

SIGNED, SEALED AND DELIVERED

(Sgd.) ABRAHAM GROVES,
(Seal)

in the presence of:

(Sgd.) W. L. HAM,
Reeve.

(Corporate Seal)

(Sgd.) HAMILTON GIBSON,
Clerk.

CHAPTER 68.

An Act respecting the Town of Fort Erie.

Assented to March 29th, 1932.

WHEREAS the corporation of the town of Fort Erie Preamble.
has by its petition prayed for special legislation in
respect of the matters hereinafter set forth; and whereas it
is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and
consent of the Legislative Assembly of the Province of
Ontario, enacts as follows:

1. This Act may be cited as *The Town of Fort Erie Act, 1932.* Short title.

2. The order of the Ontario Municipal Board made Annexation
order
confirmed.
the 23rd day of November, 1931, providing, *inter alia*, for
annexing the village of Fort Erie to the town of Bridgeburg
and changing the name of the corporation of the town of
Bridgeburg to the corporation of the town of Fort Erie is
hereby ratified and confirmed and declared to be legal and
valid.

3.—(1) The assessment rolls returned by the assessors of Assessment
rolls and
appeals.
the corporation of the village of Fort Erie and the corporation
of the town of Bridgeburg to the clerks of the said corporations
respectively on the fifteenth day of December, 1931, shall be
the assessment rolls of the town of Fort Erie and when
finally revised in the manner hereinafter provided shall be
adopted by the council of the town of Fort Erie and the
assessments therein contained shall be the assessment on
which the rates of taxation for the town of Fort Erie for the
year 1932 shall be levied and the said rolls when finally
revised and adopted shall constitute the last revised assessment
roll of the town of Fort Erie.

(2) The council of the corporation of the town of Fort Court of
revision.
Erie shall forthwith after the passing of this Act appoint a
court of revision to hear complaints with regard to the said
assessments and the said court shall have all the powers and
perform all the duties of a court of revision under *The*
Assessment Act. Rev. Stat
c. 238.

Disposition
of appeals.

(3) The time for closing the said court of revision shall be the first day of June, 1932, and the final return by the judge of the county court shall be made on or before the first day of July, 1932.

Duties of
clerk.

Rev. Stat.,
c. 238.

(4) The clerk of the town of Fort Erie shall be the clerk of the said court and shall have all the powers and perform all the duties of the clerk of the court of revision under *The Assessment Act* and the list of complainants prepared by the clerk under section 72 of the said Act shall include the names of all complainants who on or before the twenty-ninth day of December, 1931, have given notice of complaint in the manner required by the said Act to the clerks of the said former corporations, respectively.

Completion
of local
improve-
ment works.

Rev. Stat.,
c. 235.

4. Where a work or service coming within the provisions of *The Local Improvement Act* has been initiated or undertaken by the corporation of the village of Fort Erie, the corporation of the town of Fort Erie may construct or complete such work or service and may take all such proceedings, pass all such by-laws, make all such special and other assessments, impose all such special and other rates, issue and sell all such debentures, borrow all such money and do all such other acts as are necessary to complete such work or service and to provide for the cost thereof, in the same manner as if the works had been initiated or undertaken by the corporation of the town of Fort Erie.

High school
district.

Rev. Stat.,
c. 326.

5. To remove doubts, the town of Fort Erie formed by the annexation of the village of Fort Erie to the town of Bridgeburg is hereby declared to be and shall be deemed to have been, from and after the 31st day of December, 1931, a high school district within the provisions of *The High Schools Act* under the jurisdiction of the board of education for the town of Fort Erie.

Railway
bridge
assessment.

6. The agreement made between the corporation of the town of Bridgeburg, Canadian National Railway Company and The International Bridge Company, bearing date the 20th day of April, 1931, set out in schedule "A" hereto, is hereby validated and confirmed and declared to be legal, valid and binding upon the parties thereto, and the corporation of the town of Fort Erie, and the said parties and the corporation of the town of Fort Erie are hereby empowered to carry out and enforce their respective obligations and rights thereunder.

Commence-
ment of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

Memorandum of Agreement made in triplicate this Twentieth day of April, in the year of our Lord, One thousand nine hundred and thirty-one.

BETWEEN:

THE CORPORATION OF THE TOWN OF BRIDGEBURG
(hereinafter called the "Town"),

of the first part;

—and—

CANADIAN NATIONAL RAILWAY COMPANY and THE INTERNATIONAL BRIDGE COMPANY (hereinafter called the "Companies")

of the second part.

Whereas differences have arisen between the Town and the Companies with reference to the assessment and taxation by the Town of that portion of the property known as "the International Bridge" lying west of the International Boundary Line;

And whereas it has been agreed to settle all differences presently existing or which may at any time during the term of this Agreement hereafter exist in respect to the said property or any part thereof presently or hereafter constructed and notwithstanding the said property or any part thereof shall cease at any time to be used exclusively for railway purposes or incidental thereto;

Now, therefore, in consideration of the premises and the matters herein-after contained the parties hereto agree with each other as follows:—

1. That notwithstanding anything contained in *The Assessment Act* of the Province of Ontario or any amendments thereto hereafter made, that portion of the property known as "The International Bridge" lying west of the International Boundary Line and including without limitation all structures, sub-structures and super-structures thereof and approaches thereto, and all rails, ties, poles, wires or other property thereon or used in connection therewith, and every change, alteration, addition, improvement and/or reconstruction or renewal of every kind and nature whatsoever or for whatsoever purpose, shall be rated on the assessment roll of the said Town for the period of twenty-five years commencing on the 1st day of January, 1929, at no higher valuation than will produce the sum of Fourteen Thousand Dollars (\$14,000.00) per annum at the rate or rates on the dollar which shall have been fixed by a By-law or By-laws of the said Town for authorizing, levying and collection of rates for the purposes of the Municipality, and that the said valuation shall be held and taken to be the assessed valuation for which, during the period aforesaid, the said property hereinbefore described shall be entered upon the assessment roll for the purpose of levying and collecting all rates; and it shall be the duty of the assessors from time to time to assess the same in accordance with the valuation hereby fixed and for no other or greater sum.

2. That, without limitation of the provisions hereinbefore set forth, it is specifically understood and agreed that the said valuation shall be held to cover and include any reconstruction, alteration or improvement, of the said property, or any part thereof, on the same site or otherwise, and whether to provide for vehicular and/or pedestrian traffic or otherwise, and notwithstanding the said property, or any part thereof, presently or hereafter existing shall not be used exclusively for railway purposes or incidental thereto.

3. No other sum shall in respect to the said property hereinbefore more particularly described be demanded or collected from the said Companies or either of them for municipal rates or assessments of any kind, than the said sum of Fourteen Thousand Dollars (\$14,000.00) per annum during the said term of twenty-five years, and the Clerk of the Municipality for

the time being is hereby authorized to set down the said sum of Fourteen Thousand Dollars (\$14,000.00) in the collector's roll to be made out and prepared by him as the gross amount of taxes to be collected yearly and every year during the period aforesaid in respect to the said property.

4. The said sum of Fourteen Thousand Dollars (\$14,000.00) shall be payable to the Town each and every year during the term of this Agreement on or before the 23rd day of September. The payment as hereinbefore provided for the year 1929 and the year 1930 shall be paid to the Town without interest within thirty days after the date of execution of this Agreement by all parties.

5. The Town hereby undertakes and covenants with the Companies to apply at its own expense at the earliest possible time hereafter for legislation of the Province of Ontario to give full effect to all provisions in this Agreement and to do all acts and things necessary to make the said provisions valid and binding, and will abide by, observe and carry out the same according to the spirit, true intent and meaning thereof.

6. The Companies hereby undertake and covenant with the Town to co-operate with the Town to obtain the necessary legislation to give full effect to this Agreement and to make the same valid and binding, it being understood and agreed, however, that the Companies shall not in any way or under any circumstances be responsible for failure on the part of the Town to secure the said legislation.

7. That proceedings presently pending in the Appellate Division of the Supreme Court of Ontario shall be forthwith discontinued and that each party shall bear its own costs of all litigation and proceedings to date.

8. That the making of this Agreement and acts of any party hereunder or incidental thereto shall not in any way prejudice the rights in law of any parties after the expiration of the term hereof.

9. That all the provisions herein contained shall enure to the benefit of and be binding upon the successors and assigns of each and all of the parties hereto.

In witness whereof the parties hereto have hereunto affixed their seals attested by the proper officers in that behalf.

SIGNED, SEALED AND DELIVERED

In the presence of:

(Corporate Seal)

THE CORPORATION OF THE TOWN OF
BRIDGEBURG.

(Sgd.) HARRY HALL,
Mayor.

(Sgd.) GEORGE TAIT,
Clerk.

CANADIAN NATIONAL RAILWAY COM-
PANY.

(Corporate Seal)

(Sgd.) GERARD RUEL,
Vice-President.

(Sgd.) HENRY PHILPS,
Assistant Secretary.

THE INTERNATIONAL BRIDGE COM-
PANY,

(Corporate Seal)

(Sgd.) GERARD RUEL,
Vice-President.

(Sgd.) W. C. TOMKINS,
Secretary.

CHAPTER 69.

An Act respecting the Township of Gloucester.

Assented to March 29th, 1932.

WHEREAS the corporation of the township of Gloucester Preamble.
 has by its petition represented that it has incurred a floating indebtedness to the amount of \$30,000, which has accumulated over a period of years, and that to pay off the said floating indebtedness forthwith in addition to meeting its current annual expenditures would be unduly oppressive on the ratepayers of the said township, and has by its petition prayed that the said floating indebtedness may be consolidated and that it may be authorized to borrow by the issue and sale of debentures, sufficient money to discharge the said debt; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Township of Gloucester* Short title.
Act, 1932.

2. The floating debt of the corporation of the township Floating debt consolidated.
 of Gloucester is consolidated at the sum of \$30,000 and the said corporation may borrow by a special issue of debentures a sum not exceeding \$30,000 for the purpose of paying the said floating debt.

3. The said debentures shall be made payable in not more Term*of debentures, etc.
 than ten years from the date of issue thereof, and shall bear interest at a rate not exceeding six per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

4. The said debentures shall be payable in equal annual Payment on instalment plan.
 instalments of principal and interest in such manner and in such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to

what

what is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Special rate.

5. The said corporation shall levy and collect in each year during the period within which the said debt is payable in addition to all other rates a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application of proceeds.

6. The said debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose.

Assent of electors not required.

7. It shall not be necessary to obtain the assent of the electors of the said township qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat. c. 233.

Irregularity in form not to invalidate.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to keep proper books of account.

9. It shall be the duty of the treasurer for the time being of the said township to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall from time to time be realized from the sales or negotiations of the said debentures, and the application which shall from time to time be made of the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said township and of any of the holders from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

10. Until the said floating debt has been paid, the said corporation shall not pass any by-laws to authorize the borrowing of any moneys by the issue of debentures, nor shall it issue any debentures, other than those authorized by this Act, unless the approval of the Ontario Municipal Board has first been obtained.

Restriction
as to debenture
issues.

11. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-
ment of Act.

CHAPTER 70.

An Act respecting the City of Guelph.

Assented to March 29th, 1932.

Preamble.

WHEREAS the corporation of the city of Guelph has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The City of Guelph Act, 1932.*

Tax sales, confirmation.

2.—(1) All sales of land within the city of Guelph made prior to the 31st day of December, 1930, which purport to have been made by the corporation of the city of Guelph or its treasurer for arrears of taxes in respect to the lands so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor and treasurer or clerk of the said corporation purporting to convey the said lands so sold to the purchaser thereof, or his heirs or assigns or to the said corporation shall have the effect of vesting the lands so sold in the purchaser, or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

Pending litigation not affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this section had not been passed.

Issue of debentures for certain purposes.

3. The council of the said corporation may provide by a by-law or by-laws for the issue or issues of debentures payable within

within ten years from their date, not exceeding the following amounts and for the following purposes, namely,—

- (a) \$100,000 to repay an amount borrowed to cover the floating debt of the waterworks department;
- (b) \$3,000 for excess unemployment relief work during the winter of 1930-1931;
- (c) \$16,000 for work in connection with the Pond Creek Diversion;
- (d) \$1,100 for the Northumberland street pavement between Wilson and Norfolk street, constructed in 1930-1931;
- (e) \$1,200 for a domestic sewer along a public lane in St. Patrick's ward, in the said city, constructed in 1930-1931;
- (f) \$2,200 for a storm sewer constructed on Devonshire street in the years 1930-1931;
- (g) \$3,400 for a pavement laid on the Market Square during 1930-1931.

4.—(1) It shall not be necessary for the said corporation to obtain the assent of the electors of the said city qualified to vote on money by-laws, to the passing of any by-law for the issue of debentures under the authority of section 3 of this Act, or to observe in respect thereto the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Assent of
electors not
requisite.

Rev. Stat.,
c. 233.

(2) Debentures issued under the provisions of any of the said by-laws shall bear interest at such rate as the council of the said corporation shall, in such by-law, determine and the principal and interest thereof may be made payable in any manner authorized by *The Municipal Act*.

Rate of
interest.

Rev. Stat.,
c. 233.

(3) No irregularity in the form of any of the debentures issued under the authority of this Act, or in any by-law authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action brought against the said corporation for the recovery of the amount thereof, or any part thereof, or the interest thereon.

Irregularities
in proceed-
ings not to
invalidate.

Issue of
debentures
may be
consolidated.

5. The council of the said corporation instead of borrowing by separate money by-laws the sums authorized by section 3 may consolidate any two or more of such borrowings of like maturity and issue one series of debentures therefor; provided that each such consolidating by-law shall show by recitals or otherwise, the separate sums which make up the total borrowing, and the purposes for which such sums are to be expended.

Commence-
ment of Act.

6. This Act other than section 2 shall come into force on the day upon which it receives the Royal Assent. Section 2 shall come into force on the 1st day of July, 1932.

CHAPTER 71.

An Act respecting the County of Halton.

Assented to March 29th, 1932.

WHEREAS the corporation of the county of Halton has Preamble.
 by its petition represented that by an agreement dated the 2nd day of July, 1930, between the said corporation and the corporation of the town of Milton, the said county corporation constructed certain pavements in the said town of Milton for the cost of which the said county corporation agreed to issue debentures and to pay the principal and interest of which debentures the said town corporation agreed to provide the necessary funds, and that the said agreement made provisions respecting other matters consequent upon or arising out of the construction of the said pavements, and that doubts having arisen as to the validity of the said agreement it is desirable that the same be confirmed by special legislation; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The County of Halton Act, 1932.* Short title.

2. The said agreement made between the corporation of the county of Halton and the corporation of the town of Milton dated the 2nd day of July, 1930, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporations and the ratepayers of them respectively and the said corporations are and each of them is hereby empowered to carry out their respective obligations and exercise their respective privileges thereunder. Agreement for highway pavements in Milton, confirmed.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 72.

An Act respecting the City of Hamilton.

Assented to March 29th, 1932.

Preamble.

WHEREAS the corporation of the city of Hamilton has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Hamilton Act, 1932.*

Certain
lands vested
in city free
from trusts.

2. The lands described in schedule "A" hereto are hereby vested in the corporation of the city of Hamilton freed from all trusts affecting the same.

Power to
carry out
agreement
with
T.H. & B.
Railway.

3. The said corporation may do all acts and things necessary to perform the provisions of the agreement between the said corporation and the Toronto, Hamilton and Buffalo Railway Company, dated the 20th day of October, 1930, set out in schedule "B" hereto.

Tax
sales, con-
firmation.

4.—(1) All sales of land within the city of Hamilton made prior to the 31st day of December, 1930, which purport to have been made by the said corporation or its treasurer for arrears of taxes in respect to the land so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns, or to the said corporation shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this section had not been passed. Pending litigation not affected.

5.—(1) The council of the said corporation may enter an agreement with the Hamilton and Barton Incline Railway Company in respect of the operation of its incline railway for the purpose of assuming any deficit arising from such operation during the year 1932 to an amount not exceeding \$1,000. Power to enter into agreement.

(2) No agreement entered into under this section shall extend to the operation of the said incline railway after the 31st day of December, 1932, and any such agreement shall not be renewed without the assent of the electors of the said city or of those thereof qualified to vote on money by-laws. Termination and renewal of agreement

6. This Act, other than section 4, shall come into force on the day upon which it receives the Royal Assent. Section 4 shall come into force on the 1st day of July, 1932. Commencement of Act.

SCHEDULE "A"

DESCRIPTION OF LAND

Portion of Market Reserve, between Hughson and John Streets, from which restrictions are to be lifted.

All and singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the County of Wentworth, in the Province of Ontario, being composed of part of the Market Reserve in the block bounded by John Street, Hunter Street, Hughson Street and Augusta Street, in the said City of Hamilton and which Market Reserve was conveyed by one George Hamilton to the President and Board of Police of Hamilton, and which said part of said Market Reserve may be more particularly described as follows, that is to say:—

Commencing at a point in the western limit of John Street, distant two hundred and forty-eight feet and eleven and one-quarter inches (248' 11¼") measured northerly thereon from the northern limit of Augusta Street.

Thence northerly along the said western limit of John Street ninety-two feet and six and one-half inches (92' 6½") more or less to the northern limit of the said Market Reserve.

Thence westerly in a straight line along the northern limit of the said Market Reserve, three hundred and twenty-three feet and two inches (323' 2") more or less to a point in the eastern limit of Hughson Street which point is distant three hundred and thirty-six feet and eight and one-quarter inches (336' 8¼") measured northerly along the said eastern limit of Hughson Street from its intersection with the said northern limit of Augusta Street.

Thence southerly along the said eastern limit of Hughson Street eighty-six feet and three-quarters of an inch (86' ¾") to a point.

Thence easterly in a straight line three hundred and twenty-eight feet and nine inches (328' 9") more or less to the place of beginning.

SCHEDULE

SCHEDULE "B"

[This Agreement is made this 20th day of October, one thousand nine hundred and thirty.

BETWEEN:

THE TORONTO HAMILTON AND BUFFALO RAILWAY
COMPANY (herein called the Railway Company),

of the first part,

—and—

THE CORPORATION OF THE CITY OF HAMILTON (herein
called the City),

of the second part.

Whereas pursuant to the Statutory powers vested in the Railway Company and pursuant to By-law of the City No. 755 passed on the 29th day of October, A.D., 1894, the Railway Company constructed its railway through the City of Hamilton on the conditions contained therein and in particular in accordance with the description and specification of the southerly route referred to in said By-law.

And whereas by an Act of the legislature of the Province of Ontario, 58 Victoria, Chapter 68 (1895) said By-law and all the conditions therein were declared to be binding on the Railway Company and the City.

And whereas by an Act of the Parliament of Canada, 58-59 Victoria, Chapter 66 (1895), said By-law was ratified and confirmed and declared to be binding upon the parties thereto so far as such confirmation was within the powers of the Parliament of Canada.

And whereas the City has requested the Railway Company to proceed with grade separation in the City of Hamilton which will necessitate a change in the route and grades of the Railway as set forth in said description and specification from a point at or near where the tunnel mentioned in said By-law ends on the east side of Park Street to a point just east of Victoria Avenue which will necessitate the removal of certain of the Railway Company's tracks, structures, buildings, facilities and works from their present location as provided for in the said By-law and the replacement thereof as herein proposed.

And whereas the changes and alterations from the present location of the railway of the Railway Company between said points involves a deviation slightly to the south of its present route and the elevation of its tracks, construction of underpasses at certain streets and the closing and diversion of other streets the construction of a new street the construction of a new station, and other buildings and facilities, the demolition of the present station, the removal of and replacement of tracks, structures and other facilities as aforesaid, and the Railway Company has agreed to such deviation change and alteration only on the express understanding that in the new location it shall retain all its rights and privileges conferred by said By-law and the said Acts confirming the same to which the City has agreed.

And whereas the changes in the said location of the railway necessitates the consideration and settlement of grade separation problems in the said City.

And whereas the works hereinafter set forth comprised in and connected with grade separation are of mutual benefit to the City and the Railway Company.

Now therefore it is agreed between the parties hereto as follows:

1. The Plan and Profile lettered 2-B.R.C., dated the fifteenth day of October, one thousand nine hundred and thirty, which shows the proposed railway tracks and subways, closed and diverted streets, rearrangement

of yards and facilities, new level of tracks, new station and new street together with other general features of the proposed construction work which Plan has been identified by the signatures of the parties hereto shall be considered forming part of this Agreement. Provided, always, subject to the approval of the Board, the Railway Company shall be at liberty to change or alter the track lay-out and work incidental thereto as indicated on said Plan during the progress of the work herein contemplated or subsequent thereto.

2. The parties will join in an application to the Board of Railway Commissioners for Canada (hereinafter called the Board) for the approval of the said Plan and Profile of the said new level of tracks street grades, and the works referred to in the next preceding paragraph and for an Order authorizing, directing and ordering the construction of the same in accordance therewith and for the taking of such additional lands without the consent of the owners in accordance with the provisions of *The Railway Act* as may be required to carry out the work.

3. After the issue of the Order of the Board pursuant to said Application the Railway Company shall thereupon proceed with the clearing of the site, the letting of contracts and the carrying out of the work so approved by the Board in accordance with detailed plans of the subways and other works to be approved by the parties hereto and the Board or the Chief Engineer of the Board as the case may be the matter of the apportionment of the costs of the said works including the relocation of public facilities such as telephone poles, wires and conduits, sewers, water mains, pavements and sidewalks, gas mains and all other works of whatsoever nature affected by the proposed works herein mentioned together with the cost of all lands used for such works and all compensation awards, damages, costs and expenses awarded to the owners of said lands and/or adjoining properties by reason of the construction of the works herein provided for shall be assumed, borne and paid for in accordance with the Order of the Board following a hearing of the parties on a date to be fixed by the Board not later than sixty days from the issuance of the said Order referred to in paragraph 2 hereof and the parties hereby agree to be bound and abide by the Board's Order in respect of said apportionment.

4. It is agreed that the apportionment of the cost to be determined by the Board as provided for in the next preceding paragraph in so far as the City and the Railway Company are concerned, shall be limited to the cost of replacing all existing facilities of the Railway Company or the equivalent thereof and of all works incidental thereto. It is agreed, however, that any contribution the Board may order to be paid out of the Railway Grade Crossing Fund in respect of those additional facilities, the cost of which shall be paid for entirely by the Railway Company, be wholly payable to the Railway Company, but the provisions of this paragraph in respect of the division of cost shall be subject to the approval of the Board, to vary as it may deem fair and equitable.

5. The City shall pay to the Railway Company the proportion of the cost placed on the City by the Board pursuant to paragraphs 3 and 4 hereof, in monthly payments as the work proceeds, said monthly payments to be made in accordance with statements certified by the Chief Engineer of the Railway Company and rendered prior to the 15th day of the month following that in which said work was performed, and payments therefor to be made to the Railway Company prior to the last day of each month. Similarly, the Railway Company shall pay to the City its proportion of expenditures made by the City in connection with and properly chargeable to said works. The parties hereto will at all times allow proper inspection by the other of all books, accounts, returns and vouchers for the purpose of checking or verifying accounts which may be rendered for expenditures made in pursuance of this Agreement and each party shall have the right from time to time to employ an Auditor or Auditors to investigate the accuracy of any account and each party shall from time to time afford all proper facilities for such investigation. Neither the acceptance of any such account nor the payment thereof by either party shall prejudice its right to an audit or verification, and if upon such audit or verification it shall be found within one year after completion of said works that either party has paid to the other party any sum or sums of money which under the terms of this Agreement it was not liable to pay it shall be

entitled to demand and collect the same from such other party which shall promptly refund the same. At the conclusion of the work an account, if desired by either of the parties shall be taken and adjusted by the Chief Engineer of the Board who may require from the City and the Railway Company all evidence necessary for his decision.

6. The City agrees to close those portions of Hunter, Charles, Hughson, Baillie, Walnut, Augusta and Wellington Streets, also lanes and alleys or such portions thereof as are within the limits of the Railway Company's property all as indicated on said plan, and to divert Hunter, Liberty and Aurora Streets as shown on said plan. The City shall convey to the Railway Company by a good and sufficient deed in fee simple the portions of said streets, lanes and alleys so to be closed, together with the portion of Hunter Street required for the construction of the new station and plaza, and that part of the Wood Market Square situated north of the new street. The Railway Company shall similarly convey to the City the portion of the station grounds between James and John Streets required for the diversion of Hunter Street and for the new street between James and Hughson Streets all as shown on said plan. The City shall also take the necessary steps to open the new street between James and John Streets and shall prevent the parking of motor cars and vehicles on the south side of the new street, and permit the Railway Company to construct and at all times maintain a platform $3\frac{1}{2}$ feet in width on the north side of the new street immediately adjacent to the Railway Company's buildings, together with a canopy 10 feet in width over said platform.

It is the intent of this agreement that the exchange of lands referred to in this paragraph shall be without monetary consideration on either side.

7. All matters concerning the works to be performed by the City and the Railway Company respectively, the maintenance and repairs thereof after construction, the liability of the parties as between themselves and to the public, taxes and other matters arising in the carrying out of the works shall be referred to the Board for settlement in case the parties hereto cannot agree.

8. In the event of any dispute or disputes in which the Board declines to act such dispute or disputes shall be submitted to arbitration in the following manner:

The party desiring such reference shall appoint an arbitrator who shall be a disinterested person and give notice thereof and of intention to refer to the other party who shall within thirty days after receipt of such notice appoint on its behalf an arbitrator who shall be a disinterested person, in default of which such an arbitrator on behalf of such other party may be appointed by one of the Judges of the Supreme Court of Ontario on the application of the party desiring such reference after ten days' notice to the other party. The two arbitrators so appointed or selected shall select a third and the award of the said three arbitrators or a majority of them made after due notice to both parties of the time and place of hearing the matter referred and hearing the party or parties who may attend shall be final and binding on both parties hereto and they expressly agree to abide thereby. In case the two arbitrators first appointed fail to appoint a third within ten days after they have both been appointed then the third arbitrator may be appointed by one of the Judges of the Supreme Court of Ontario on the application of either party after ten days' notice to the other. In case of death or the refusal or inability to act of any arbitrator or if for any cause the office of any arbitrator becomes vacant his successor shall be appointed in the same manner as is provided for his first appointment in the first instance unless the parties otherwise agree. The arbitrators appointed shall have all the powers given by *The Arbitration Act* (Revised Statutes of Ontario, 1927, Chapter 97) to arbitrators.

9. The work shall commence by the Railway Company within sixty days after the issuance of the Order of the Board referred to in paragraph 2 hereof, and the Railway Company shall insert in all contracts a clause to the following effect:—

"In the performance of all the works covered by this Contract the contractors and sub-contractors shall employ workmen and labourers

who have been bona fide residents of Hamilton for a minimum of one year prior to September 1st, 1930—provided that a sufficient supply of such labour is available. Preference shall be given to the employment of married men over single men. The contractors and sub-contractors shall keep a proper record of all employment, indicating the name, address, terms of residence, date employed, date of leaving or dismissal, which record shall be available for inspection by or transmitted to the Chief Engineer as and when required."

10. The City covenants and agrees with the Railway Company that the new location of the railway of the Railway Company and its Station buildings, structures and works of whatsoever description constructed thereon shall be in substitution for the portion of the southerly route between Park Street and Victoria Avenue specified in said By-law No. 755 and in such substituted location the Railway Company shall have, enjoy and possess all the rights and privileges heretofore vested in the Railway Company as granted to and conferred on the Railway Company by said By-law and confirming Acts it being the express intention of this paragraph and Agreement that the Railway Company shall retain in the new location all of its existing rights and privileges and that nothing herein contained shall alter, interfere with or prejudice such existing rights or privileges and that the Railway Company shall not be moved from the new location without its consent.

11. The City agrees to and does hereby relieve the Railway Company from the provision of said By-law No. 755 requiring the Railway Company to always maintain a second passenger station within the limits of the City at some point on or near Lock Street south of Main Street.

12. The City further agrees to join with the Railway Company in any application for Parliamentary Legislative or other sanction of any constituted authority that may be required from time to time to confirm, ratify and give legal effect to the provisions of this Agreement.

This Agreement shall enure to the benefit of and be binding upon the successors and assigns of the parties hereto.

In witness whereof the Railway Company has hereunto caused to be affixed its Corporate Seal and the President and Secretary have set their hands and the City has hereunto caused to be affixed its Corporate Seal and the Mayor and Clerk have set their hands the day and year first above written.

SIGNED, SEALED AND DELIVERED,

in the presence of:

THE TORONTO HAMILTON AND BUFFALO
RAILWAY COMPANY.

By (Sgd.) "J. N. BECKLEY,"
President.

Attest.
(Sgd.) "N. F. STEPHENSON,"
Secretary.

THE CORPORATION OF THE CITY OF
HAMILTON.

Approved,
(Sgd.) "S. I. POLSON,"
Asst. City Solicitor.

By (Sgd.) "JOHN PEEBLES,"
Mayor.
and (Sgd.) "S. H. KENT,"
City Clerk.

CHAPTER 73.

An Act respecting the City of Hamilton and its
Board of Park Management.*Assented to March 29th, 1932.*

Preamble.

WHEREAS the corporation of the city of Hamilton and the Board of Park Management of the said city have by their petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Hamilton Board of Park Management Act, 1932.*

Lands to be
known as
"Gage
Park."

2. The lands described in schedule "A" hereto and all park lands added or adjacent thereto, but not including the Hamilton Mountain Face lands, shall be known and called "Gage Park" forever.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

PART OF GAGE PARK AS PURCHASED FROM
R. R. GAGE AND CHARLES SCHWENGER.

All and singular that certain parcel or tract of land and premises, situate, lying and being in the city of Hamilton, in the county of Wentworth, in the province of Ontario, being composed of part of lot number six (6), in the third concession of the township of Barton, now in the city of Hamilton, which may be more particularly described as follows, that is to say:—

Commencing at a stone monument planted at the intersection of the southern limit of Main Street with the eastern limit of Gage Avenue,

thence south seventy degrees and twenty-seven minutes east, (S. 70°-27' E.) along the said southern limit of Main Street, one thousand and ninety-one and one half feet (1,091.5 ft.),

thence south eighteen degrees and thirty minutes west (S. 18°-30' W.), four hundred and sixty-two feet (462'0"),

thence south seventy degrees and twenty-seven minutes east (S. 70°-27' E.), one hundred and ninety-eight feet (198'0"),

thence south eighteen degrees and thirty minutes west (S. 18°-30' W.), six hundred and fifty feet and seven tenths (650.7'),

thence south seventy degrees and forty-seven minutes east (S. 70°-47' E.), eight feet (8'0"), to a point in the western limit of Rosemount Park Extension (Registered Plan No. 486),

thence south eighteen degrees west (S. 18°-00" W.), along the said western limit of Rosemount Park Extension, one thousand three hundred and seventy-six and five-tenths feet (1,376.5'), more or less, to the northern limit of the right-of-way lands of the Hamilton, Grimsby & Beamsville Electric Railway Company,

thence north fifty-four degrees and sixteen minutes west (N. 54°-16' W.), along the said northern limit of the last mentioned right-of-way lands, one thousand, two hundred and twenty-eight feet and nine-tenths (1,228.9') to the beginning of a curve,

thence on a curve to the right, having a radius of one hundred and seventy-eight and two-tenths feet (178.2'), two hundred and twenty-three and six-tenths feet (223.6') to a point in the said eastern limit of Gage Avenue,

thence north eighteen degrees east (N. 18°-00' E.) along the said eastern limit of Gage Avenue, one thousand, nine hundred and seventy-seven and thirty-seven one hundredths feet (1,977.37 ft.) more or less to the place of beginning,

the above described parcel of land containing by admeasurement, sixty-five and seventy-six one hundredths acres (65.76 acres), be the same more or less.

CHAPTER 74.

An Act respecting the Village of Holland Landing.

Assented to March 29th, 1932.

Preamble.

WHEREAS the corporation of the village of Holland Landing has by its petition represented that it was incorporated as a village comprising approximately 1,700 acres by by-law number 85 for 1860 of the county council of the then United Counties of York and Peel and at that time its population exceeded 750 inhabitants; that the population of the said village is now approximately 256 inhabitants and that there is no justification for its continuance as an incorporated village; and it is desirable and in the interests of the said inhabitants that an Act be passed to annul the said incorporation and to restore the lands now comprised in the said village to the township of East Gwillimbury as the same were prior to the incorporation of the said village and to erect the said locality into a police village; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Village of Holland Landing Act, 1932.*

Incorporation annulled.

2. The incorporation of the village of Holland Landing shall be annulled as of and from the 1st day of January, 1933.

Lands annexed to adjacent township.

3. The locality comprised within the said village shall be annexed to and form part of the township of East Gwillimbury in the county of York as of and from the 1st day of January, 1933.

Erection of police village.

4. The locality formed of the lands by this Act annexed to the said township is declared as of and from the 1st day of January, 1933, to be erected into a police village under the name of the "Police Village of Holland Landing."

5. The first election of trustees for the said police village shall be held at the council chamber of the said village by S. R. Goodwin, returning officer, on Monday the 2nd day of January, 1933, and the first meeting of the trustees shall be held at the said council chamber on Monday the 16th day of January, 1933, at the hour of twelve o'clock noon. ^{First of election.}

6. All debts and liabilities of the said village of Holland Landing existing on the 1st day of January, 1933, shall be assumed by the corporation of the said township but shall be a charge upon the lands comprised in the said police village and all assets of the said village shall from the 1st day of January, 1933, be deemed to be assets of the said corporation of the said township. ^{Assets and liabilities.}

7. Subject to the provisions of this Act and except where inconsistent therewith, the provisions of Part XXIII of *The Municipal Act* relating to police villages shall apply to the said police village. ^{The Municipal Act to apply. Rev. Stat., c. 233.}

CHAPTER 75.

An Act respecting the Town of Huntsville.

Assented to March 29th, 1932.

Preamble.

WHEREAS the corporation of the town of Huntsville has by its petition represented it is desirable that its by-law number 526 be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Town of Huntsville Act, 1932.*

By-law
No. 526,
confirmed.

2. By-law number 526 of the corporation of the town of Huntsville, passed on the 25th day of January, 1932, providing for the assumption and payment by the said corporation of certain special assessments imposed and special rates levied or to be levied pursuant to its by-law number 507 to meet the cost of pavements constructed as local improvements on Main Street and King William Street in the said town as set forth in the said by-law, and to repay any special annual rates heretofore imposed and paid with respect to such pavements, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 76.

An Act respecting the Town of Kenora.

Assented to March 29th, 1932.

WHEREAS the corporation of the town of Kenora has Preamble.
by its petition represented that by-laws numbers 1070
and 1071 were passed on the 29th day of January, 1932, to
authorize the borrowing of \$36,817.32 and \$19,212.61,
respectively, upon debentures to pay for certain sidewalks
more particularly described in the said respective by-laws
undertaken and constructed pursuant to *The Local Improve-*
ment Act; and that doubts having arisen as to the validity
of said by-laws it is desirable that the same and the deben-
tures issued or to be issued thereunder should be validated
and confirmed; and whereas it is expedient to grant the
prayer of the said petition;

Therefore, His Majesty, by and with the advice and
consent of the Legislative Assembly of the Province of
Ontario, enacts as follows:

1. This Act may be cited as *The Town of Kenora Act*, Short title.
1932.

2. By-laws numbers 1070 and 1071 of the corporation of By-laws
Nos. 1070
and 1071
and
debentures
confirmed.
the town of Kenora, passed on the 29th day of January,
1932, authorizing the borrowing of \$36,817.32 and \$19,212.61,
respectively, by the issue and sale of debentures to pay for
certain sidewalks therein described and all debentures issued
or to be issued under each of said by-laws are hereby con-
firmed and declared to be legal, valid and binding upon the
said corporation and the ratepayers thereof.

3. This Act shall come into force on the day upon which Commence-
ment of Act.
it receives the Royal Assent.

CHAPTER 77.

An Act respecting the City of London.

Assented to March 29th, 1932.

Preamble.

WHEREAS the corporation of the city of London has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of London Act, 1932.*

Licensing,
etc., coal
dealers.

2. The said corporation may, from time to time, pass by-laws for licensing, regulating and governing coal dealers, and may fix the sum to be paid for the license and the time for which it shall be in force, and may provide for enforcing payment of the license fee not exceeding \$5 per year.

Tax sales
validated.

3.—(1) All sales of land within the said city made prior to the thirty-first day of December 1930, and purporting to have been made by the treasurer of the said city for arrears of taxes in respect to the land so sold are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer or clerk of the said corporation purporting to convey the said land so sold to the purchaser thereof, or his heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser, or his heirs or assigns, and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold.

Pending
litigation not
affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or

other

other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this section had not been passed.

4.—(1) Section 13 of *The City of London Act, 1906* (6⁶ Edw., 7, c. 76, s. 13, amended), is amended by striking out the figures “\$116,204” in the second line and inserting in lieu thereof the figures “\$63,200.”

(2) This section shall be read and construed as having effect on and from the first day of January, 1932. ^{When effective from.}

5. This Act, other than section 3, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1932. ^{Commencement of Act.}

CHAPTER 78.

An Act respecting the Town of Mimico and the
Town of New Toronto.*Assented to March 29th, 1932.*

Preamble.

WHEREAS the corporations of the towns of Mimico and New Toronto have by petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Mimico and New Toronto Act, 1932.*

Enlargement
of joint
sewerage
works
for Mimico
and New
Toronto,
1916, c. 80.

2.—(1) Notwithstanding anything contained in the Act passed in the sixth year of the reign of His Majesty, King George the Fifth, chaptered 80, or in any other Act, the corporation of the town of Mimico may pass by-laws from time to time for the following purposes:

Debenture
issues.

- (a) To construct any improvements, enlargements and extensions of or to any of the works mentioned in the agreement appearing as Schedule "A" to the said Act passed in the sixth year of the reign of His Majesty, King George the Fifth, chaptered 80;
- (b) To borrow money on the credit of the corporation at large by the issue of debentures payable in not more than thirty years from the date thereof, to pay for any works authorized to be constructed under any by-law passed pursuant to clause *a* of this subsection;

Debenture
issues
for sewage
disposal
works.

- (c) To borrow money on the credit of the corporation at large by the issue of debentures payable in not more than thirty years from the date thereof to pay for the works more particularly described in schedule "A" to this Act reported to be necessary in the

interest

interest of public health by the written report of the Department of Health for Ontario bearing date the 2nd day of March, 1932.

(2) No by-law shall be finally passed pursuant to the provisions of clause *a* of subsection 1 hereof until the construction of the works therein mentioned has been approved by by-law of the council of the corporation of the town of New Toronto; provided, however, that this subsection shall not apply to any by-law authorizing the construction of any work the construction of which has been reported to be necessary in the interest of public health by a written report made by the Department of Health for Ontario pursuant to section 97 of *The Public Health Act*.

Approval of New Toronto requisite to undertaking of work.

(3) It shall not be necessary that any by-law passed pursuant to the provisions of subsections 1 or 2 hereof be submitted to or receive the assent of the electors qualified to vote on money by-laws of the corporation of the town of Mimico or of the corporation of the town of New Toronto.

Assent of electors not requisite.

3. The corporation of the town of New Toronto may pass by-laws to guarantee the payment of the principal and interest of any debentures issued by the corporation of the town of Mimico pursuant to the authority contained in section 2 hereof, and it shall not be necessary that any such by-law be submitted to or receive the assent of the electors of the town of New Toronto qualified to vote on money by-laws.

Guarantee of debentures by New Toronto

4. So long as the agreement mentioned in section 2 hereof shall remain in force and effect, the corporation of the town of New Toronto shall pay to the corporation of the town of Mimico, on or before the 1st day of December in each year, in addition to all other moneys payable by it to the corporation of the town of Mimico, one-half of the sum required to be raised and collected in that year by the corporation of the town of Mimico to pay the principal of and interest on debentures issued under by-laws passed pursuant to the authority contained in section 2 hereof.

Payment of one-half of debt charges by New Toronto

5. The provisions of the said agreement mentioned in section 2 hereof shall apply to the works described in schedule "A" to this Act and to all works constructed pursuant to the authority contained in this Act to the same extent as if such works had been described and included in clause 2 thereof.

Agreement of 1915 to apply to sewage disposal works.

6. The corporation of the town of New Toronto and the corporation of the town of Mimico may from time to time

Extension of term of agreement.

by mutual agreement extend the period for which the said agreement mentioned in section 2 hereof shall remain in force and effect and it shall not be necessary that any such extending agreement or the by-laws authorizing it be submitted to or receive the assent of the electors of the said corporations or either of them, or of those thereof qualified to vote on money by-laws.

By-law
No. 843
(Mimico)
confirmed.

7. By-law Number 843 of the corporation of the town of Mimico authorizing the construction of the works described in schedule "A" to this Act, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act.

8. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

An extension and enlargement of the sewage disposal plant and outfall sewer to serve the municipalities of Mimico and New Toronto, according to the plans and specifications of James, Procter and Redfern, Consulting Engineers, which plans and specifications are filed with the Department of Health and are mentioned in the written report of the Department dated the 2nd day of March, 1932, issued under section 97 of *The Public Health Act*.

CHAPTER 79.

An Act respecting the City of Niagara Falls.

Assented to March 29th, 1932.

WHEREAS the corporation of the city of Niagara Falls Preamble.
has by petition prayed for special legislation in respect
to the matters hereinafter set forth; and whereas it is expedient
to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario enacts
as follows:

1. This Act may be cited as *The City of Niagara Falls Act*, Short title.
1932.

2. By-laws may be passed with the approval of the Ontario Regulating
and
licensing
lodging
houses, etc.,
for tourists.
Municipal Board by the council of the corporation for licensing,
regulating and governing lodging houses and tourist camps,
and the keepers of lodging houses and tourist camps, and for
fixing the fee to be charged for such license.

3. By-laws may be passed with the approval of the Ontario Prohibiting
and
regulating
signs for
tourists.
Municipal Board by the said council for prohibiting, regulating
and governing the erection and use of signs, bill-boards,
sign posts, hanging or swinging signs or other advertising
devices for the advertising of lodging houses and tourist
camps, tents or cabins, and for prescribing the character, size
and location of the same.

4. Where a lodging house is licensed under any by-law Exemption
from
business
taxation
of licensed
lodging
houses
Rev. Stat.,
c. 238.
passed under the provisions of this Act and the license fee
has been paid therefor, the property licensed shall be exempt
from taxation upon business assessment under *The Assessment*
Act.

5.—(1) Notwithstanding the provisions of *The Assessment* Separate
income and
business
assessment
roll,
Act the council of the said corporation may by by-law provide
for taking the assessment of income and business separately
from the time for taking the assessment of real property and

for taking the same during such time of the year in which the rates of taxation thereon are to be levied as the by-law may provide.

Appeals.

Rev. Stat.,
c. 238.

(2) Any such by-law shall provide for the time when the roll for such income and business assessments shall be returned, for the holding of a court of revision for hearing appeals from any assessment therein in manner provided by *The Assessment Act* upon the return of such assessment roll to the clerk. The time for appeal to the court of revision shall be within ten days after the last day fixed for return of the said roll and the time for appealing from the court of revision to the county judge shall be within three days after the decision of the court of revision is given.

Income and
business
taxation.

Last
revised
assessment
roll.
Rev. Stat.,
cc. 233 and
238.

(3) The assessment of income and business so made and completed in any year, whether or not it is completed by the time provided by the by-law, shall upon its final revision be the assessment of income and business on which the rates of taxation upon income and business for such year shall be levied by the council and the assessment roll thereof with the assessment roll of real property and other assessments made for the same year shall when both thereof are finally revised together form the last revised assessment roll of the whole rateable property within the municipality within the meaning and for the purposes of *The Municipal Act*, *The Assessment Act* and any other general or special Act.

When
income and
business
taxation
payable.

(4) The said council may provide that taxation upon income and business assessments may be made payable at times different from those at which other taxation is made payable.

Licensing of
lodging
house
keepers
when
not resident
for one year.

6. The said council with the approval of the Ontario Municipal Board may pass by-laws for licensing persons who have not resided in the municipality for at least one year next preceding the time of commencing business as lodging house keepers or tourist camp keepers, the license fee therefor not to exceed \$100 and the sum paid for a license to be credited to the person paying it on account of taxes thereafter payable by him.

Commence-
ment of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 80.

An Act respecting the Township of North York.

Assented to March 29th, 1932.

WHEREAS the corporation of the township of North York has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Township of North York Act, 1932.* Short title.

2.—(1) All sales of land within the township of North York made prior to the 31st day of December, 1930, which purport to have been made by the treasurer of the said township for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold executed by the reeve and treasurer of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the lands so sold and conveyed in the purchaser thereof or his heirs or assigns and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges or encumbrances thereon, and dower therein except taxes accruing after those for non-payment of which the said lands were sold.

Tax sales and conveyances confirmed.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Pending litigation not affected.

3.—(1) The said council may with the approval of the Minister of Highways for Ontario pass by-laws prohibiting the

Power to prohibit jitneys, etc.

operation

operation of jitneys or buses in the said township in such a manner as to compete with the North Yonge Railways operated by the Toronto Transportation Commission on behalf of the corporations of the said township, the township of Markham, the township of Vaughan and the village of Richmond Hill.

Limitation
of
prohibition.

(2) The carriage of passengers between points north of the south side of the cross-roads at Elgin Mills, being the north limit of lot number 50, concession 1, townships of Vaughan and Markham, and points within the area served by North Yonge Railways, shall not be deemed competition within the meaning of this section.

Application
of unclaimed
tax moneys.

4.—(1) The unclaimed moneys which now are or hereafter may be in the hands of the treasurer of the said township arising from duplicate payment of taxes and surplus moneys from tax sales may from time to time be transferred to and shall thereupon form part of the general funds of the said corporation.

Notice to
persons to
establish
claims before
application
of such
moneys.

(2) No such money shall be transferred or paid over until ninety days after the treasurer of the said township shall have inserted in a newspaper published in the said township and in one of the daily newspapers published in the city of Toronto a notice that a list with particulars of such unclaimed moneys has been prepared and is available for inspection at the treasurer's office and that all persons having claims to any such moneys are required to prove their claims within the said period of ninety days. Any of such moneys to which a claim has not been established to the satisfaction of the said treasurer or in respect of which an action has not been commenced in court to recover the same within the said period of ninety days, shall forthwith be transferred to the general funds of the said corporation, free of and from any and all claims of any person whatsoever.

Application
hereunder
only after
three years.

(3) No part of the moneys mentioned in subsection 1 shall be transferred or paid over under this section until the same have been in the hands of the said treasurer for a period of at least six years.

Commence-
ment of Act.

5. This Act, other than section 2, shall come into force on the day upon which it receives the Royal Assent. Section 2 shall come into force on the 1st day of July, 1932.

CHAPTER 81.

An Act respecting the City of Ottawa.

Assented to March 29th, 1932.

WHEREAS the corporation of the city of Ottawa has ^{Preamble.} by its petition prayed that it should be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The City of Ottawa Act, 1932*. ^{Short title.}

2. The corporation of the city of Ottawa may provide ^{Issue of debentures for water-works purposes.} by by-law for an issue or issues of debentures payable within thirty years from their date, and not exceeding \$50,000 in amount to provide for the cost of constructing and extending water mains, water services and electrical transmission lines.

3. For the payment of the debt and interest represented ^{Debt to be discharged from water rates.} by the debentures to be issued under the authority of section 2 of this Act, there shall be raised annually by the said corporation during their currency, with the authority conferred in and by an Act passed in the thirty-fifth year of the reign of Her late Majesty Queen Victoria, chaptered 80, and intituled *An Act for the construction of Waterworks for the City of Ottawa*, from the water rates, a sum sufficient to discharge the said debt and interest, when and as the same shall respectively become due, such sum to be in addition to the money required to be raised to meet the charges of maintenance and cost of renewals in connection with the said waterworks, and for the payment of the principal and interest of all debts heretofore contracted for the purposes of the said waterworks, but if at any time, the moneys accruing from the said water rates shall prove insufficient for the purposes aforesaid, then, when and so often as the said deficiency shall occur, there shall be raised, levied and collected by the said corporation, by a special rate upon the whole of the rateable property of the said corporation, according to

35 Vict.,
c. 80.

the then last revised assessment roll thereof, a sum sufficient to make good such deficiency.

Issue of debentures for cost of repairs to main sewers.

4. The said corporation may provide by by-law for an issue or issues of debentures payable within twenty years from their date, and not exceeding \$140,000, to provide for the cost of completing the repairs to the main sewers of the corporation rendered necessary by sewer explosions.

Income of debentures for certain purposes in connection with Royal Ottawa Sanitorium.

5. The said corporation may provide by by-law for an issue of debentures payable within ten years from their date, and not exceeding \$25,000, to provide for altering, enlarging, equipping and furnishing the buildings of the Royal Ottawa Sanitorium.

Issue of debentures for construction, etc., of water filtration plant.

6.—(1) The council of the said corporation may provide by by-law, to be passed without obtaining the assent of the electors qualified to vote on money by-laws, for borrowing and may borrow upon debentures payable at the expiration of thirty years from their date of issue, the sum of \$1,315,000 for the purpose of providing for the cost of constructing and equipping a water filtration plant for use in connection with the waterworks of the corporation.

Repeal of By-law No. 6556 of 1929.

(2) The council, prior to exercising the powers conferred by subsection 1 shall repeal by-law number 6556, finally passed on the 7th day of January, 1929, with the approval of the electors qualified to vote on money by-laws, and which authorized an expenditure of \$1,315,000 for the purposes specified in subsection 1.

Assent of electors not requisite.

7.—(1) It shall not be necessary for the said corporation to obtain the assent of the electors of the said city qualified to vote on money by-laws, to the passing of any of the money by-laws authorized by sections 2, 4, 5 or 6 of this Act, or to observe in respect thereto the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Rev. Stat., c. 233.

Rate of interest.

(2) Debentures issued under the provisions of any of the said by-laws shall bear interest at such rate as the council of the said corporation shall in such by-law determine, and the principal and interest thereof may be made payable in any manner authorized by *The Municipal Act*.

Rev. Stat., c. 233.

Irregularities not to invalidate.

(3) No irregularity in the form of any of the debentures issued under the authority of this Act, or in any by-law authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action brought against the said corporation for the recovery of the amount thereof, or any part thereof, or the interest thereon.

8. Notwithstanding anything to the contrary contained in *The Municipal Act*, the said corporation may grant out of its current revenues for the year 1932 to Harold L. Corbett, former city treasurer, a retiring allowance of \$4,500, equivalent to one year's salary.

Grant to H. L. Corbett.

9.—(1) All sales of land within the city of Ottawa made prior to the 31st day of December, 1930, purporting to have been made by the treasurer of the said city for arrears of taxes in respect to the land so sold are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said land to the purchaser thereof, or his heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple, and clear of and free from all right, title, interest and claim whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for the non-payment of which the said lands were sold.

Tax sales and conveyances, confirmed.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Pending litigation not affected.

10.—(1) The council of the said corporation may provide by by-law to be passed under the provisions of *The Local Improvement Act* for undertaking and completing and for assessing and levying the cost of the construction of an asphalt pavement on Somerset Street West between Bronson Avenue and Booth Street, notwithstanding that the debentures heretofore issued to provide for the cost of the existing asphalt and block pavement on the said part of the said street have not as yet been wholly redeemed.

Somerset Street West pavement.
Rev. Stat., c. 235.

(2) Should the council construct the said local improvement pavement, it shall raise and pay annually out of its general funds all such sums, if any, as shall remain to be raised in order to defray the owners' portion of the cost of the existing pavement in and after the year in which the first payment of interest on the debentures issued to provide for the cost of constructing such replacing pavement shall become payable.

11. Notwithstanding anything to the contrary contained in *The Municipal Act* the council of the said corporation may

Contract for municipal audit.

during

during the year 1932 contract with an accountant who is a member of an association or institute incorporated by Act either of the Legislature or of the Parliament of Canada, for auditing the books, accounts and vouchers of the corporation in the manner specified by section 242 of *The Municipal Act*.

Application
of certain
surplus
monies,

12. The council of the said corporation may, during the year 1932, apply any surplus, standing on the books of the corporation to the credit of any debenture by-law, which is not required for the purposes of such by-law or to meet the payments of principal of, or interest on debentures issued thereunder, for the general purposes of the corporation so as thereby to avoid any increase in the rate of taxation for the year 1932, and to assist the ratepayers of the municipality in meeting the cost of providing work and giving direct relief to the unemployed.

Commence-
ment of Act.

13. This Act, other than section 9, shall come into force on the day upon which it receives the Royal Assent. Section 9 shall come into force on the 1st day of July, 1932.

CHAPTER 82.

An Act respecting the Corporation of the
Municipality of Paipoonge.*Assented to March 29th, 1932.*

WHEREAS the corporation of the municipality of Paipoonge has by petition represented that it is desirable and in the interests of the ratepayers of the said municipality, that all its assessment and collectors' rolls, all its collectors' returns and all its tax sales, prior to the thirty-first day of December, 1930, should be validated, and has by such petition prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition; Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Municipality of Paipoonge Act, 1932.* Short title.

2.—(1) All assessment rolls of the corporation of the municipality of Paipoonge heretofore finally revised, all collectors' rolls of the said corporation heretofore returned by the collectors thereof, and all collectors' returns of the said rolls heretofore made are hereby validated and confirmed and declared to be binding upon and conclusive against all persons, parties or corporations affected thereby, notwithstanding any irregularity, fault or omission in the said assessment rolls, collectors' rolls or collectors' returns or in any matter or thing done or omitted to be done in relation thereto (including failure to distrain), and notwithstanding anything contained in any Act or Acts to the contrary. Assessment rolls, etc., confirmed.

(2) The provisions of subsection 1 shall apply and extend only to assessment rolls, collectors' rolls and collectors' returns revised, returned and made prior to the 1st day of January, 1931.

3.—(1) All sales of land within the municipality of Paipoonge made prior to the thirty-first day of December, 1930, Tax sales and conveyances confirmed.

1930,

1930, which purport to have been made by the said corporation or its proper officers for arrears of taxes in respect of the lands so sold, are hereby validated and confirmed, and all conveyances of the lands so sold, or which may or shall hereafter be executed by the proper officers of the said corporation, purporting to convey the said lands so sold to the purchaser thereof, or his heirs or assigns or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his and their heirs and assigns or in the said corporation and its successors and assigns in fee simple, and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment whereof the said lands were so sold.

Pending
litigation
not
affected.

4. Nothing in this Act contained shall affect or prejudice the rights of any person under any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

Commence-
ment of Act.

5. This Act, other than section 3, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1932.

CHAPTER 83.

An Act respecting the Town of Perth.

Assented to March 29th, 1932.

WHEREAS the corporation of the town of Perth has Preamble.
by its petition represented that it has incurred a floating debt of \$62,666.20 which has arisen by reason of insufficient levies for a number of years past to pay for permanent improvements, such as the construction of permanent pavements, a band stand, and other unforeseen expenditures; and that to liquidate the said floating indebtedness forthwith in addition to meeting the ordinary annual expenditures would be unduly oppressive to the ratepayers, and has prayed that power be granted to consolidate the said debt and to issue debentures in a sufficient amount to discharge the said floating debt; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Town of Perth Act, 1932.* Short title.
2. The floating debt of the corporation of the town of Perth is consolidated at the sum of \$62,666.20 and the said corporation may borrow by a special issue of debentures a sum not exceeding \$64,000 for the purpose of paying the said floating debt. Debentures for floating debt.
3. The said debentures shall be made payable in not more than ten years from the date of issue thereof and shall bear interest at a rate not exceeding six per centum per annum and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient. Term of debentures.
4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner, and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the

other

other years of the period within which the said debt is to be discharged.

Special
rate to retire
debentures.

5. The said corporation shall levy and collect in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application
of proceeds of
debentures.

6. The said debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt, and for no other purpose.

Assent of
electors not
necessary.

7. It shall not be necessary to obtain the assent of the electors of the said town, qualified to vote on money by-laws, to the passing of any by-law which shall be passed under the authority of this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat.,
c. 233.

Irregularities
not to
invalidate.

8. No irregularity in the form of the said debentures, or any of them, or of any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to
keep books.

9. It shall be the duty of the treasurer for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures and the application which shall, from time to time, be made of the said amounts; and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

10. During the currency of the debentures issued under this Act the said corporation shall not pass any by-laws to borrow money by an issue of debentures, or issue any debentures, other than those authorized by this Act, until the approval of the Ontario Municipal Board has first been obtained.

Restriction
as to debenture issues.

11. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-
ment of Act.

CHAPTER 84.

An Act respecting the Town of Renfrew.

Assented to March 29th, 1932.

Preamble.

WHEREAS the corporation of the town of Renfrew has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Renfrew Act, 1932.*

Assessment
rolls, etc.,
confirmed.

2.—(1) All assessment rolls of the corporation of the town of Renfrew heretofore finally revised, all collectors' rolls for taxes of the said corporation and all collectors' returns of said rolls heretofore made are hereby validated and confirmed and declared to be binding upon and conclusive against all persons, parties or corporations affected thereby, notwithstanding any irregularity, fault or omission in the said assessment rolls, collectors' rolls or collectors' returns or in any matter or thing done or omitted to be done in relation thereto (including failure to distrain) and notwithstanding anything contained in any Act or Acts to the contrary.

Application
of provisions
of sub-
section 1.

(2) The provisions of subsection 1 shall apply and extend only to assessment rolls, collectors' rolls and collectors' returns revised, returned and made prior to the 1st day of January, 1931.

Pending
litigation not
affected.

(3) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 85.

An Act respecting the Town of Riverside.

Assented to March 29th, 1932.

WHEREAS the corporation of the town of Riverside Preamble.
has by its petition prayed for special legislation in
respect of the matters hereinafter set forth; and whereas it
is deemed expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and
consent of the Legislative Assembly of the Province of
Ontario, enacts as follows:—

1. This Act may be cited as *The Town of Riverside Act*, Short title.
1932.

2. Section 8 and sections 10 to 24 of *The Town of Riverside* 1931, c. 120,
s. 8 and ss.
10 to 24,
repealed.
Act, 1931 are repealed.

3.—(1) All sales of land situate within the town of Riverside Tax
sales and
conveyances,
confirmed.
held prior to the 31st day of December, 1930, and purporting
to have been made for arrears of taxes payable to the corpora-
tion of the said town in respect to the lands so sold are con-
firmed and declared to be legal, valid and binding and all
conveyances of land so sold executed as required by *The*
Assessment Act purporting to convey the said lands to the
purchaser thereof or his heirs or assigns or to the corporation,
are also confirmed and declared to be legal, valid and binding
and shall have the effect of vesting the lands so sold and same
are hereby vested in the purchaser or his heirs or assigns and
his heirs and assigns or in the corporation, and its successors
and assigns, as the case may be, in fee simple or otherwise,
according to the nature of the estate or interest sold, free and
clear of and from all right title and interest whatsoever of the
owners thereof at the time of such sale, or their assigns, and
of all charges and encumbrances thereon and dower therein,
except taxes imposed by the corporation accruing after those
for non-payment of which the said lands were so sold.

(2) Nothing in this section contained shall affect or prejudice Pending
litigation not
affected.
the rights of any person under any action, litigation or other

proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this section had not been passed

By-law No.
310 and
debentures,
confirmed.

4. By-law number 310 of the said corporation, being a by-law to provide for the borrowing of \$112,801.75 upon debentures to pay for the construction of two breakwaters therein described and all debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding on the corporation and the rate-payers thereof.

Vesting
of title in
adjacent
owners of
lands formed
by break-
waters.

5.—(1) Notwithstanding any conveyance heretofore made by the said corporation all the estate, right, title and interest of the corporation in the lands and premises described in schedule "A" to this Act are hereby vested in accordance with the provisions of subsection 2.

(2) Each person now having any interest in all or any part of the lands immediately abutting the south limit of the lands described in said schedule "A" is hereby vested with a like interest in that part of the lands described in the said schedule "A" which would lie within the produced east and west boundaries of that part of the said lands immediately abutting the said south limit in which such person now has an interest, if such boundaries were produced in a straight line to the northerly limit of the lands described in said schedule "A".

Duty of
Registrar.

(3) The registrar of deeds for the registry division of the county of Essex shall cause to be made an entry of the provisions of this section in the registry book in its proper order and in the proper abstract index provided under *The Registry Act*.

Rev. Stat.,
c. 155.

Commence-
ment of Act.

6. This Act other than section 3 shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1932.

SCHEDULE "A"

All that parcel or tract of land covered by water in front of the town of Riverside, formerly in the township of Sandwich East, in the county of Essex, in the Province of Ontario, containing by admeasurement thirty and five-tenths acres, be the same more or less, being composed of that certain parcel or tract of land and premises, situate, lying and being under water of part of Lake St. Clair, in front of the east part of lot number one hundred and forty-one to lot number one hundred and forty-nine inclusive, formerly in the township of Sandwich East but now in the said town and which parcel may be more particularly described as follows: Commencing at the intersection of the northerly production of the westerly limit of registered plan 1161 (on lot number one hundred and forty-one) and the high water mark of Lake St. Clair, thence north ten degrees, fifteen minutes west, astronomically, seventy-five and two-tenths feet, thence south seventy-five degrees one and one-half minutes east, astronomically, three thousand one hundred and eleven and two-tenths feet, thence north eight-eighty degrees thirty-three and one-half minutes east, astronomically, one thousand five hundred and one and three-tenths feet more or less to the northerly production of the easterly limit of farm lot number one hundred and forty-nine, thence south ten degrees nine minutes east, astronomically, and along the last mentioned limit five hundred and nine and seven-tenths feet, more or less, to the high water mark of Lake St. Clair, and thence westerly and along the high water mark of Lake St. Clair to the place of beginning; being parcels numbered one to seventy-three, inclusive, coloured pink on a plan, dated the 30th day of July, 1931 and made by George A. Main and deposited in the registry office for the registry division of the county of Essex on the 20th day of November, 1931 as deposit number 4118.

Saving and excepting thereout and therefrom the lands upon which is situate the concrete breakwater shown on the said plan.

And also saving and excepting thereout and therefrom parcels numbered 72 and 73 as shown on said plan and more particularly described as follows:—

PARCEL 72—All and singular that certain parcel or tract of land and premises situate, lying and being in the said town, and being composed of part of the water lot in front of part of farm lot 149, formerly in concession one (1), township of Sandwich East, but now in the said town, which said parcel may be more particularly described as follows:—

Commencing at the intersection of the limit between the east and west halves of farm lot 149 with the northerly limit of Riverside Drive, thence north seventy-four degrees, seventeen minutes west, astronomically, along the northerly limit of Riverside Drive, a distance of fifty-seven feet, two inches to the southwesterly angle of the lands of H. & W. Drouillard, thence north nine degrees, fifty-one and one-half minutes west, astronomically, parallel with the limit between the east and west halves of farm lot 149, along the westerly limit of the lands of H. & W. Drouillard, a distance of two hundred and thirty-two feet to the water's edge of Lake St. Clair, as shown on plan of water lot survey, which is the point of commencement; thence north nine degrees, fifty-one and one-half minutes west, astronomically along the northerly production of said westerly limit of the lands of H. & W. Drouillard, a distance of four hundred and eighteen feet more or less, to the northerly face of the concrete breakwater, thence north eighty-eight degrees, thirty-three and one-half minutes east, astronomically, along the northerly face of the concrete breakwater and its easterly production in a straight line a distance of fifty-two feet, two inches more or less to the point where said line intersects the northerly production of the said limit between the east and west halves of farm lot 149, thence south nine degrees, fifty-one and one-half minutes east, astronomically, along

the

the northerly production of the limit between the east and west halves of farm lot 149, a distance of four hundred and fifteen feet, eleven inches more or less, to the said water's edge of Lake St. Clair, and thence westerly along said water's edge of Lake St. Clair to the point of commencement.

PARCEL 73—All and singular that certain parcel or tract of land and premises situate, lying and being in the said town of Riverside, and being composed of part of the water lot in front of part of farm lot 149, formerly in concession one (1), township of Sandwich East, but now in the said town, which said parcel may be more particularly described as follows:—

Commencing at the intersection of the limit between the east and west halves of farm lot 149 with the northerly limit of Riverside Drive; thence south seventy-four degrees, seventeen minutes east (S. 74° 17' E.), astronomically, along the northerly limit of Riverside Drive, a distance of one hundred and one feet, three and one-quarter inches to a point, thence easterly along the northerly limit of Riverside Drive, following along the arc of a circle of radius three hundred feet, and to which the last mentioned course is a tangential, a distance of twenty feet, seven inches more or less, to its point of tangent with the immediate succeeding course, thence south seventy-eight degrees, thirteen minutes east, astronomically, along the northerly limit of Riverside Drive and being tangential to the preceding course, a distance of one hundred and seventy-two feet, six and one-half inches more or less to the centre line of a ditch known as the Perrault ditch, which point is also in the easterly limit of farm lot 149, as shown on registered plan 1091, county of Essex, thence north ten degrees, twenty minutes west, astronomically, along the said easterly limit of farm lot 149, a distance of two hundred and thirty-two feet, one inch to the water's edge of Lake St. Clair, as shown on plan of water lot survey, which is the point of commencement; thence north ten degrees, twenty minutes west, astronomically, along the northerly production of the said easterly limit of farm lot 149, a distance of five hundred and thirteen feet, seven inches more or less, to its intersection with the easterly production in a straight line of the northerly face of the concrete breakwater, thence south eighty-eight degrees, thirty-three and one-half minutes west, astronomically, along the easterly production in a straight line of the northerly face of the concrete breakwater, a distance of two hundred and sixty-seven feet, nine inches more or less, to its intersection with the northerly production of the limit between the east and west halves of farm lot 149, thence south nine degrees, fifty-one and one-half minutes east, astronomically, along the northerly production of the limit between the east and west halves of farm lot 149, a distance of four hundred and fifteen feet, eleven inches more or less, to the said water's edge of Lake St. Clair, and thence easterly along said water's edge of Lake St. Clair to the point of commencement.

CHAPTER 86.

An Act respecting the Town of Rockland.

Assented to March 29th, 1932.

WHEREAS the corporation of the town of Rockland Preamble.
has by its petition represented that it has incurred a floating debt of \$25,000 which has arisen in part by inability to collect certain taxes a considerable portion of which is not now collectible, and that to pay off the said indebtedness forthwith in addition to meeting the current annual expenses would be unduly burdensome to the ratepayers of the said town, and, therefore, prays that the said floating debt may be consolidated and that the said corporation may be authorized to borrow money by the issue of debentures to pay off the said floating debt; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Town of Rockland Act*, Short title.
1932.

2. The floating debt of the corporation of the town of Rockland is consolidated at the sum of \$25,000 and the said Debentures for floating debt.
corporation may borrow by a special issue of debentures a sum not exceeding \$25,000 for the purpose of paying the said floating debt.

3. The said debentures shall be made payable in not more Term of debentures.
than twenty years from the date of the issue thereof, and shall bear interest at a rate not exceeding six per centum per annum and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner, and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged. Type of debentures.

Special
rate to retire
debentures.

5. The said corporation shall levy and collect in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application
of proceeds of
debentures.

6. The said debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt, and for no other purpose.

Assent of
electors not
necessary.

7. It shall not be necessary to obtain the assent of the electors of the said town qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat.,
c. 233.

Irregularities
not to
invalidate.

8. No irregularity in the form of the said debentures, or any of them, or of any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to
keep books.

9. It shall be the duty of the treasurer for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures and the application which shall, from time to time, be made of the said amounts; and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Restriction
as to
debenture
issues.

10. During the currency of the debentures issued under this Act, the said corporation shall not pass any by-laws to borrow money by an issue of debentures or issue any debentures, other than those authorized by this Act, until the approval of the Ontario Municipal Board has first been obtained.

Commence-
ment of Act.

11. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 87.

An Act respecting the City of St. Catharines.

Assented to March 29th, 1932.

WHEREAS the corporation of the city of St. Catharines ^{Preamble.} has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The City of St. Catharines Act*, ^{Short title.} 1932.

2. By-law number 3971 of the corporation of the city of St. Catharines passed on the 22nd day of September, 1930, ^{By-law No. 3971 confirmed.} being a by-law to authorize a contract with Jacob Morrison providing for the purchase of certain freehold and leasehold lands and the sale and lease thereof to the said Jacob Morrison and for the provision of railway siding facilities therefor is hereby confirmed and declared to be legal, valid and binding on the said corporation and the ratepayers thereof and the said corporation is hereby authorized to carry out its obligations thereunder.

3. By-law number 4055 of the said corporation passed on the 16th day of November, 1931, authorizing an agreement with The Henley Aquatic Association providing for a grant to the said Association of \$1,000 in each of the years 1932, 1933, 1934 and 1935 and, upon certain conditions, a grant of a further sum not exceeding \$1,000 in each of the years 1936, 1937, 1938 and 1939 is hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof. ^{By-law No. 4055 confirmed.}

4. By-law number 4060 of the said corporation passed on the 14th day of December, 1931, authorizing the investment of \$470,842.81 of the funds of the sinking fund of the said corporation in certain debentures of the said corporation as set forth in the said by-law is hereby confirmed. ^{By-law No. 4060 confirmed.}

Tax sales
and
conveyances
confirmed.

5.—(1) All sales of land within the said city made prior to the 31st day of December, 1930, and purporting to have been made by the said corporation or its treasurer for arrears of taxes in respect to the land so sold are hereby validated and confirmed, and all conveyances of lands so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said lands so sold to the purchaser or his heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple, and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon and dower therein, except taxes accruing since those for non-payment for which the said lands were sold.

Pending
litigation
not affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

Acquisition
of industrial
sites.

6.—(1) The council of the said corporation may, without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for acquiring lands and premises in the township of Grantham, by purchase or otherwise, for the purpose of the establishment of and carrying on of industries and industrial operations and for selling or leasing the same for such purposes and for borrowing a sum or sums not exceeding in all the sum of \$50,000 by the issue of debentures payable at any time or times within a period not exceeding thirty years from the date of the issue thereof for paying the cost of the lands and premises acquired or to be acquired for the said purposes.

Application
of proceeds
of sale and
rentals.

(2) All moneys received from the sale or rental of such lands and premises shall be applied in payment of the annual instalments of any debt incurred under this section or in the purchase for cancellation of any general debentures of the city.

Application
of 1929,
c. 59.

(3) The provisions of *The Industrial Sites Act, 1929*, save as hereby varied and not inconsistent with the provisions of this section shall apply to the said lands.

Liability to
taxation.

(4) Any lands acquired in the township of Grantham for the purposes set out in this section shall, notwithstanding anything contained in *The Assessment Act*, be liable to assessment and taxation in the same manner and to the same extent as they would be if not owned by the said corporation.

7. The council of the said corporation may pass a by-law or by-laws providing for the appointment of a "Commissioner of Finance" and, notwithstanding anything contained in *The Municipal Act, The Assessment Act* or any other Act, that the Commissioner of Finance shall carry out such of the duties of the treasurer, tax collector and assessment commissioner, or any of them, as the said by-law or by-laws may from time to time provide.

8. This Act, other than section 5, shall come into force on the day upon which it receives the Royal Assent. Section 5 shall come into force on the 1st day of July, 1932.

CHAPTER 88.

An Act respecting the City of Sarnia.

Assented to March 29th, 1932.

Preamble.

WHEREAS the corporation of the city of Sarnia has by petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Sarnia Act, 1932.*

Floating debt consolidated.

Discharge by special annual rate for ten years.

2. The floating debt of the corporation of the city of Sarnia is consolidated at the sum of \$365,000, and the council of the said corporation may pass by-laws to raise and levy in each year on the whole rateable property within the municipality according to the last revised assessment roll during a period not exceeding ten years by special rates, over and above all other rates, a sum sufficient to produce and pay the said floating debt in such equal or unequal annual instalments with interest thereon or on the unpaid balance thereof as may be included in the yearly estimates as hereinafter provided.

Special rate to be included in estimates.

3. It shall be the duty of the council in each year commencing with the year 1932, and in every year until the said floating debt has been paid, to include in the estimates for the year, a sum not less than one-tenth of the amount of such floating debt with yearly interest thereon or on the unpaid balance thereof, and to levy a special rate sufficient to produce and pay the amount so included in the estimates.

Application of special rate.

4. All moneys arising by reason of the levy of any such rate shall be applied only in payment of the said floating debt and interest thereon and for no other purpose.

Agreements with bank as to floating debt.

5. The council may from time to time pass by-laws to authorize agreements and may enter into the same with the

bankers

bankers of the corporation as may be necessary for the financing and payment of the said debt by instalments and for interest thereon in the manner provided by this Act and for the giving of promissory notes or other evidences of obligation in respect of the said debt and interest.

6. If the corporation proceeds under this Act and the council neglects, in any year, to levy the amount required to be raised under this Act or under any agreement entered into thereunder, each member of the council shall be disqualified from holding any municipal office for two years, unless he shows that he made reasonable efforts to procure the levying of such amount.

Neglect of Council to comply with provisions of this section.

7. If the council applies any money raised under this Act otherwise than as provided in section 4 the members who vote for such application shall be personally liable for the amount so applied, which may be recovered in any court of competent jurisdiction, and shall also be disqualified from holding any municipal office for two years.

Mis-application of proceeds.

8. Until the said floating debt has been paid, the said corporation shall not pass any by-laws to authorize the borrowing of any moneys by the issue of debentures, nor shall it issue any debentures unless the approval of the Ontario Municipal Board has first been obtained.

Approval of Municipal Board necessary for further borrowing.

9. The said Board may direct that in any year the council shall levy a special rate in excess of that required to be levied under section 3 for the purpose of paying the said floating debt.

Direction as to special rate.

10.—(1) All sales of land within the city of Sarnia made by the Treasurer thereof prior to the 31st day of December, 1930, purporting to be made for arrears of taxes due in respect to the lands so sold are validated and confirmed and all conveyances of such lands so sold heretofore or hereafter executed by the mayor, treasurer and clerk of the said city, purporting to convey the said lands to the purchaser thereof, or to his heirs or assigns or to the said corporation shall have the effect of vesting the lands so sold in the purchaser thereof or his heirs or assigns and his or their heirs and assigns or in the said corporation, its successors and assigns as the case may be, in fee simple, and clear from all right, title, interest and claim whatsoever of the former owners thereof at the time of such sale and their assigns and of and from all mortgages, charges, liens and encumbrances thereon and dower therein, except taxes accruing after those for the non-payment of which the said lands were sold.

Tax sales and conveyances confirmed.

Pending
litigation
not affected.

(2) Nothing in this section contained shall affect any action, litigation or other proceeding now pending but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

By-law
No. 1881 and
debentures
confirmed.

11. By-law No. 1881 of the said corporation, passed on the third day of November, 1930, to provide for the borrowing of \$181,500 to pay for the construction of a storm outlet sewer in the said city from Front Street along Exmouth Street to East Street, and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid, and binding upon the said corporation and the ratepayers thereof.

By-law
No. 1892 and
debentures
confirmed.

12. By-law No. 1892 of the said corporation passed on the twenty-ninth day of December, 1930, to provide for the borrowing of \$40,000 to pay for the laying of a twenty-four-inch watermain from George Street south along Mackenzie Street to Ontario Street, and an eighteen-inch watermain from Ontario Street south along Harkness Street and Savoy Street to Confederation Street, and a twelve-inch watermain from Confederation Street north along Vidal Street to Wellington Street, and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 1916 and
debentures
confirmed.

13. By-law No. 1916 of the said corporation passed on the eighteenth day of May, 1931, to provide for the borrowing of \$16,000 to pay for the construction of a sewage pumping station in the said city, and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 1971 and
debentures
confirmed.

14. By-law No. 1971 of the said corporation passed on the seventh day of March, 1932, to provide for the borrowing of \$13,944.67 by the issue of debentures to pay for the cost of the construction of certain curbs, sidewalks, and sewers as in such by-law set out, and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 1972 and
debentures
confirmed.

15. By-law No. 1972 of the said corporation passed on the seventh day of March, 1932, to provide for the borrowing of \$14,340.16 by the issue of debentures to pay for the cost of the opening up and extension of Campbell Street from Brock Street to Vidal Street, and the debentures issued or

to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

16. By-law No. 1973 of the said corporation passed on the seventh day of March, 1932, to provide for the borrowing of \$74,353.48 for the issue of debentures to pay for the cost of the construction of certain pavements as in such by-law set out and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 1973 and
debentures
confirmed.

17. This Act other than section 10 shall come into force on the day upon which it receives the Royal Assent. Section 10 shall come into force on the 1st day of July, 1932.

Commence-
ment of Act.

CHAPTER 89.

An Act respecting the Township of Scarborough.

Assented to March 29th, 1932.

Preamble.

WHEREAS the corporation of the township of Scarborough has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Scarborough Act, 1932.*

New
assessment
roll for 1932.

2.—(1) Notwithstanding the provisions of *The Assessment Act* and any assessment heretofore made thereunder or that the roll thereof has been confirmed, the council of the corporation of the township of Scarborough may by by-law provide for taking a new assessment for the purposes of taxation in the year 1932.

Return
of roll and
appeals.

(2) Any such by-law shall provide for the time when the roll for such assessment shall be returned, for the holding of a court of revision for hearing appeals from any assessment therein in manner provided by *The Assessment Act* upon the return of such assessment roll to the clerk. The time for appeal to the court of revision shall be within ten days after the last day fixed for return of the said roll and the time for appealing from the court of revision to the county judge shall be within three days after the decision of the court of revision is given.

Rev. Stat.,
c. 238.Revised
assessment
roll.

(3) The assessment so made and completed, whether or not it is completed by the time provided by the by-law, shall upon its final revision be the assessment on which the rate of taxation for the year 1932 shall be levied by the council and the assessment roll thereof shall when finally revised form the last revised assessment roll of the whole rateable property within the municipality within the meaning and for the pur-

poses of *The Municipal Act*, *The Assessment Act* and any other general or special Act. Rev. Stat., cc. 233, 238.

3. Section 2 shall be read and construed as having effect on, from and after the 1st day of January, 1932. When s. 2 becomes effective.

4.—(1) All sales of land within the township of Scarborough made prior to the 31st day of December, 1930, which purport to have been made by the said corporation or by its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold, executed by the reeve and treasurer of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the lands so sold or conveyed or purporting to be sold or conveyed in the purchaser thereof or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold. Confirmation of tax sales and conveyances.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed. Pending litigation not affected.

5.—(1) Notwithstanding the provisions of *The Assessment Act*, the council of the said corporation may pass a by-law to provide that the court of revision for the municipality shall thereafter consist of three members who shall be appointed by the council. Upon the passing of the said by-law the following subsections of this section shall apply. Court of revision.

(2) Upon the appointment of the first members of the court of revision the council shall designate one member to serve for one year, one member to serve for two years and one member to serve for three years, such term to be deemed to commence from the first day of the year in which such member is appointed. Each member appointed thereafter shall be appointed to serve for three years from the first day of the year in which he is appointed. Each member of the said court shall hold office for the term for which he was appointed and until his successor is appointed. Term of office.

(3) In case any member of the court of revision is unable to act through illness or absence from Ontario or any other cause Vacancies, etc.

the council may appoint another person to the court of revision in his place during such inability to act. Upon the death or resignation of any member the council shall immediately thereafter appoint a successor to complete the unexpired term.

Quorum.

(4) Two members of the court of revision shall be a quorum and a majority of the members may decide all questions before the court but no member shall act when an appeal is being heard respecting any property in which he is directly or indirectly interested.

Remuneration.

(5) Each member of the court of revision shall be paid such sum for his services as the council may by by-law or resolution determine.

Disqualification.

(6) No member of the council and no officer or employee of the corporation shall be a member of the court of revision.

Application of Rev. Stat., c. 238.

(7) All the provisions of *The Assessment Act* relating to a court of revision shall apply to the court of revision appointed under this section, except where inconsistent therewith.

By-law to consolidate part of floating debt and to raise and levy special rate.

6.—(1) The council of the said corporation may pass by-laws to consolidate an amount not exceeding \$150,000 of the floating debt of the corporation and to pay the amount so consolidated may raise and levy in each year on the whole rateable property within the municipality during a period not exceeding five years by special rates over and above all other rates, a sum sufficient to pay the consolidated floating debt in such equal or unequal annual instalments and the interest thereon, or on the unpaid balance thereof, as may be included in the yearly estimates as provided in subsection 2.

Duty of council.

(2) If the said corporation proceeds under subsection 1 it shall be the duty of the council in each year commencing with the year 1933 and in every year until the said consolidated floating debt is paid, to include in the estimates for the year a sum not less than one-fifth of the amount of the said consolidated floating debt with yearly interest thereon or on the unpaid balance thereof, and to levy a special rate sufficient to produce and pay the amount so included in the estimates.

Application of proceeds of special rate.

(3) All moneys arising by reason of the levy of any such special rate shall be applied only in payment of the said consolidated floating debt and interest thereon.

Agreements as to payment of floating debt.

(4) The council of the said corporation may, from time to time, pass by-laws to authorize agreements and may enter

into

into the same with the bankers of the corporation, as may be necessary for the financing and payment of the said consolidated floating debt by instalments and for interest thereon in the manner provided in this section and for the giving of promissory notes or other evidences of obligation in respect of the said debt and interest.

(5) If the corporation proceeds under this section and the council neglects, in any year, to levy the amount required to be raised under this section or under any agreement entered into thereunder, each member of the council shall be disqualified from holding any municipal office for two years, unless he shows that he made reasonable efforts to procure the levying of such amount.

Neglect of council to comply with provisions of this section.

(6) If the council applies any money raised under this section otherwise than as provided in subsection 3, the members who vote for such application shall be personally liable for the amount so applied, which may be recovered in any court of competent jurisdiction, and shall also be disqualified from holding any municipal office for two years.

Mis-application of proceeds.

(7) The said corporation shall not until the said consolidated floating debt has been fully paid pass any by-laws authorizing the issue of debentures or issue any debentures, other than those authorized by this Act, unless the approval of the Ontario Municipal Board has first been obtained.

Approval of Municipal Board to issue of debentures.

7. By-laws numbers 1436, 1437 and 1583 of the corporation of the township of Scarborough authorizing the widening of certain highways therein mentioned as local improvements under the provisions of *The Local Improvement Act* are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and the works mentioned in said by-laws shall conclusively be deemed to have been properly and lawfully undertaken pursuant to and in accordance with the said Act, and the council of the said corporation may, upon completion of the works mentioned in said by-laws, borrow upon the credit of the said corporation at large by the issue of debentures under the said Act such sums as may be necessary to defray the cost of the said works, and all debentures to be issued or purporting to be issued to defray the cost of the said works, or any of them, are hereby declared to be legal, valid and binding on the said corporation and the ratepayers thereof.

Confirmation of certain by-laws.

8. Notwithstanding the provisions of *The Municipal Act*, the council of the said corporation may, with the approval of the Ontario Municipal Board, pass by-laws to combine any two or more of the offices of the municipality so that

Municipal offices may be combined.

the same may be held by one officer, and with the like approval may subsequently pass by-laws to separate any of the offices so combined.

Commence-
ment of Act.

9. This Act, other than section 4, shall come into force on the day upon which it receives the Royal Assent. Section 4 shall come into force on the 1st day of July, 1932.

CHAPTER 90.

An Act respecting the Town of Smith's Falls.

Assented to March 29th, 1932.

WHEREAS the corporation of the town of Smith's Falls Preamble.
has by its petition prayed for special legislation in
respect of the matters hereinafter set forth; and whereas it
is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario,
enacts as follows:

1. This Act may be cited as *The Town of Smith's Falls Act*, Short title.
1932.

2.—(1) By-law number 2026 of the corporation of the By-laws
town of Smith's Falls, passed on the 21st day of September, Nos. 2026
1931, to authorize the acquisition of lands for industrial sites and 2031
and to borrow a sum not exceeding \$75,000 by the issue of and
debentures for that purpose and by-law number 2031, passed debentures
on the 23rd day of September, 1931, authorizing the borrow- confirmed.
ing of \$75,000 upon debentures to pay for the acquisition of
the said lands and all debentures issued or to be issued there-
under, are hereby confirmed and declared to be legal, valid
and binding upon the said corporation and the ratepayers
thereof.

(2) No irregularity in the form of the said debentures or Irregularity
any of them, or of any by-law authorizing the issue thereof in form
shall render the same invalid or illegal, or be allowed as a not to
defence to any action brought against the said corporation invalidate
for the recovery of the said debentures or interest or any
part thereof; and the purchaser or holder thereof shall not
be bound to enquire as to the necessity of passing such by-law
or issuing debentures or as to the application of the proceeds
thereof.

3.—(1) Subject to the approval of the Ontario Municipal Corporation
Board the said corporation may enter into agreements for the empowered
purchase by the corporation of the whole or any part of the to enter in
lands described in schedule "A" to this Act with the buildings, certain
plant and equipment thereon and therein, and subject to the agreements.
same approval may enter into agreements for the sale or
lease thereof or of any part thereof.

Issue and
sale of
debentures.

(2) Subject to the approval of the said Board, the said corporation may issue and sell or otherwise dispose of the whole or any portion of the debentures to the amount of \$75,000 authorized to be issued under the said by-law number 2026 for the purpose of purchasing the said lands, buildings, plant and equipment under the terms of any agreement entered into under subsection 1.

Application
of proceeds
of
debentures.

(3) Subject to the approval of the said Board, the said corporation may issue and sell or otherwise dispose of any portion of the said debentures and utilize the proceeds of sale thereof for any purpose which may be provided for in any agreement entered into by the corporation with the approval of the said Board for the sale of the said lands.

Assent of
electors
not
requisite.

(4) It shall not be requisite that any agreement entered into with the approval of the said Board under the authority of the said section or that the issue, sale or disposition made with the approval of the said Board of any of the debentures authorized to be issued under the said by-law or the application of the proceeds of sale or other disposition thereof made with the approval of the said Board, receive the assent of the electors of the municipality qualified to vote on money by-laws.

Approval
of board
requisite to
agreements.

4. No agreement shall be entered into by the corporation for any of the purposes set forth in this Act without the approval of the said Board, but any such agreement when entered into with such approval shall be legal, valid and binding upon the parties thereto, their heirs, successors and assigns.

Power
to pass
by-laws.

5. The said corporation is hereby authorized and empowered to pass all by-laws to execute all such agreements and to do all such things as the said Board may approve for the full and proper carrying out of the provisions of section 3 and of any agreement entered into in accordance therewith.

Agreements
cancelled.

6. The agreements heretofore entered into by the corporation dated respectively the 8th day of December, 1931, and the 23rd day of September, 1931, respecting the acquisition of or the lease or sale by the said corporation of the said lands are hereby declared to be null and void, and the respective parties thereto are hereby restored to their original positions as they respectively were immediately before the said agreements or either of them were entered into free from any claim by any of the parties thereto against any of the other parties thereto from or by reason or arising out of the said agreements or either of them or the entering into of the same.

Commence-
ment of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

1. That certain parcel containing by admeasurement nine and seven-tenths ($9 \frac{7}{10}$) acres, be the same more or less, and being composed of the south easterly portion of Block "E" as laid down on a plan of the Town of Smiths Falls made by J. M. O. Cromwell, P.L.S., and registered in the Registry Office for the South Riding of the County of Lanark as number 2857 and which parcel may be more particularly described as follows: Commencing at the point of intersection of the north easterly limit of Queen street with the north westerly limit of Lorne street, thence north forty-eight degrees west along the north easterly limit of Queen street one hundred and twenty-three feet (123') thence north forty-two degrees east one thousand four hundred and fourteen feet (1,414') more or less to the south westerly limit of the Canadian Pacific Railway Right-of-way, thence south easterly along the aforesaid limit of the Canadian Pacific Right-of-way four hundred and sixty-eight feet (468') more or less to the northerly limit of Lorne street; thence north fifty-four degrees west along the northerly limit of Lorne street one thousand four hundred and thirty-one feet (1,431') more or less to the place of beginning.

2. That parcel containing by admeasurement forty-one thousand six hundred (41,600') square feet be the same more or less and being composed of lots numbers three hundred and forty-two (342) three hundred and forty-three (343) three hundred and forty-four (344) three hundred and forty-five (345) and the south fifty feet (50') frontage of lot three hundred and forty-six (346) all on Queen street as laid down on a plan of the said Town of Smiths Falls made by J. M. O. Cromwell, P.L.S., and registered in the Registry Office for the South Riding of the County of Lanark as number 2857.

3. That portion of Centre street and Bay street in the Town of Smiths Falls in the County of Lanark as closed by By-law number 719, passed by the Council of the Corporation of the said Town of Smiths Falls on the 7th day of May, 1906, more particularly described as follows:

Commencing at a point in the intersection of the boundary line between the property owned by the Frost and Wood Co., Limited, and that owned by the said grantor, with the Southern boundary of Centre street between Market and Bay streets; thence Easterly ninety feet (90') more or less, along said Southern boundary of Centre street and said Southern boundary produced in a straight line to a point therein thirty feet (30') east of the north easterly angle of lot number one hundred and thirty-three at the corner of Centre and Bay streets, thence northerly at right angles to the said last mentioned course twelve feet; thence westerly ninety feet (90') more or less parallel to said Southern boundary of Centre street to a point from which may be drawn a straight line at right angles to last mentioned course to place of beginning, thence to place of beginning.

4. That parcel of land as closed by By-law numbered 71, passed by the Council of the Corporation of the said Town of Smiths Falls on the 15th day of May, 1905, more particularly described as being that certain portion of Bay street which lies between the Southern side of Centre street and the Rideau River as the same is laid down on the map or plan of the Town of Smiths Falls registered in the Registry Office for the South Riding of the County of Lanark as number 3827, subject to the reservations that the Corporation of the Town of Smiths Falls shall have the right to retain such sewer and water pipes as were on the 30th day of May, 1905, running through the centre of said lands hereby conveyed, to the Rideau River and the free and uninterrupted access at all times thereto for the purpose of changing, enlarging putting in new pipes and keeping such sewer and water pipes in repair.

5. Lot number (12) on the north side of Cornelia street as shown on a plan of the Gould Farm registered as number 3437 and Blocks lettered "A" and "A.M." on the north side of Cornelia street and west side of Beckwith street as shewn on a plan made by J. M. O. Cromwell, P.L.S., and registered in the Registry Office for the South Riding of the County of Lanark on the 25th day of June, A.D. 1890, as number 2857,

containing

containing ten acres more or less and being formerly a part of lot number thirty (30) in the fifth concession of the Township of Montague, including that portion of the old Right-of-way of the Brockville and Ottawa Railway which lies between said Block lots "A.L." and "A.M." and extends from the north limit of said lot twelve (12) northerly to the north limit of the said Town of Smiths Falls.

6. Lot 132 and that part of lot 131 fronting on the Rideau River between Bay and Fly streets described as "Commencing at the north westerly angle of said lot numbered one hundred and thirty-two (132) being at the south easterly corner of the intersection of Bay and Centre streets, thence easterly along the north limits of said lots one hundred and thirty-two (132) and one hundred and thirty-one (131), in all a distance of two hundred and ten feet (210') to a point distant one hundred and fifty feet (150') westerly from the north easterly angle of said lot one hundred and twenty-one; thence southerly at right angles to last mentioned course and parallel to the boundary line between the said lots one hundred and thirty-one and one hundred and thirty-two (132) to the waters edge of the Rideau River; thence westerly following the windings of the shore of the Rideau River to a point where the production southerly of the westerly limit of said lot one hundred and thirty-two intersects the said shore of the River; thence northerly along the said last mentioned limit and parallel to the boundary line between said lots numbered 132 and 131 to the point of commencement."

7. That part of the easterly half of lot number one hundred and thirty-three, more particularly described as: Commencing at the north easterly angle of said lot number one hundred and thirty-three (133) being at the south westerly corner of the intersection of Bay and Centre streets; thence westerly along the north limit of said lot and the south side of Centre street in all a distance of sixty feet (60') to a point; thence southerly at right angles to the easterly limit of said lot one hundred and thirty-three to the waters edge of the Rideau River; thence easterly following the windings of the shore of the Rideau River to the point where the production southerly of the easterly limit of lot one hundred and thirty-three (133) intersects the said shore of the River; thence northerly along the said last mentioned limit and parallel to the westerly boundary line of said lot one hundred and thirty-three (133) to the point of commencement.

Together with all buildings and equipment and free assets constituting the assets of the Malleable Castings Company Limited affixed to said lands or in and around the said lands and buildings as a going concern.

CHAPTER 91.

An Act respecting the City of Sudbury.

Assented to March 29th, 1932.

WHEREAS the corporation of the city of Sudbury has Preamble.
by its petition represented that it is desirable that
certain by-laws, specified in schedule "A" hereto, and the
debentures issued or to be issued thereunder, should be
validated and confirmed; and whereas it is expedient to
grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and
consent of the Legislative Assembly of the Province of
Ontario, enacts as follows:

1. This Act may be cited as *The City of Sudbury Act, 1932.* Short title.
2. The by-laws of the corporation of the city of Sudbury Con-
specified in schedule "A" hereto and all debentures issued or firmation of
to be issued thereunder are hereby ratified and confirmed by-laws and
and declared to be legal, valid and binding upon the said debentures.
corporation and the ratepayers thereof.
3. During the currency of the debentures issued under Restriction
this Act the said corporation shall not pass any by-laws to as to debenture issues.
borrow money by the issue of debentures or issue any debentures, other than the said debentures, until the approval of the Ontario Municipal Board has first been obtained.
4. This Act shall come into force on the day upon which Commence-
it receives the Royal Assent. ment of Act.

SCHEDULE "A."

No. of By-law	Date of Passing By-law	Nature of Work Under By-law	Amount of Debt Created	Amount Payable by City	Amount Payable by Rate-payers	Period of Payment	Rate of Interest
1470	January 12th, 1932	A By-law to provide for borrowing \$77,320.18 upon debentures for the purpose of paying for the widening of Elm and Lloyd Streets; the construction of a culvert on Monk Street, and for rock excavation and improvement on McKenzie, Drinkwater, Ignatius, Elm and Lloyd Streets in the City of Sudbury.	\$77,320 18	\$77,320 18		20 years	6%
1471	January 12th, 1932	A By-law to provide for borrowing \$45,599.38 upon debentures for the purpose of paying for the construction of extensions to the Electric Light System of the City of Sudbury.	45,599 38	45,599 38		20 years	6%
1472	January 12th, 1932	A By-law to provide for borrowing \$7,830.00 upon debentures to pay for the cost of equipment and installation of a Traffic Signal System in the City of Sudbury.	7,830 00	7,830 00		20 years	6%
1473	January 12th, 1932	A By-law to provide for borrowing \$38,097.44 upon debentures for the purpose of paying for the purchase of lands for an Athletic Park and for the purpose of improving same.	38,097 44	38,097 44		20 years	6%
1474	January 12th, 1932	A By-law to provide for borrowing \$31,087.08 upon debentures to pay for the cost of the Junction Creek diversion, Junction Creek improvement, Molin's Creek improvement, and the Junction Creek excavation near Kelly Lake.	31,087 08	31,087 08		20 years	6%
1475	January 12th, 1932	A By-law to provide for borrowing \$37,430.28 upon debentures for the purpose of paying for the extensions and improvements to the Waterworks System of the City of Sudbury, and for the purpose of paying for extensions to the Sewage System of the City of Sudbury.	37,430 28	37,430 28		20 years	6%

SCHEDULE "A."—Continued

No. of By-law	Date of Passing By-law	Nature of Work Under By-law	Amount of Debt Created	Amount Payable by City	Amount Payable by Rate-payers	Period of Payment	Rate of Interest
1476	January 12th, 1932	A By-law to provide for borrowing \$30,240.00 upon debentures for the purpose of paying for the construction of the Elm Street Bridge and the Beech Street Bridge in the City of Sudbury.	30,240 00	30,240 00	20 years	6%
1482	January 29th, 1932	A By-law to provide for borrowing \$35,257.24 upon debentures to pay for the construction of the concrete walks as therein set forth.	35,257 24	5,405 33	29,851 91	10 years	6%
1483	January 29th, 1932	A By-law to provide for borrowing \$5,140.29 upon debentures to pay for the construction of the Storm Sewer as therein set forth.	5,140 29	2,636 86	2,503 43	20 years	6%
1484	January 29th, 1932	A By-law to provide for borrowing \$75,545.66 upon debentures to pay for the construction of the Sanitary Sewers as therein set forth.	75,545 66	25,215 86	50,329 80	20 years	6%
1485	January 29th, 1932	A By-law to provide for borrowing \$97,411.30 upon debentures to pay for the construction of the Cast Iron Water Mains as therein set forth.	97,411 30	35,889 42	61,521 87	20 years	6%
1486	January 30th, 1932	A By-law to provide for borrowing \$43,293.60 upon debentures to pay for the construction of the Cast Iron Water Mains as therein set forth.	43,293 60	18,349 15	24,944 45	20 years	6%
1487	January 30th, 1932	A By-law to provide for borrowing \$27,810.88 upon debentures to pay for the construction of the Sanitary Sewers as therein set forth.	27,810 88	5,387 30	22,423 58	20 years	6%
1488	January 30th, 1932	A By-law to provide for borrowing \$41,785.40 upon debentures to pay for the construction of the Storm Sewers as therein set forth.	41,785 40	19,970 14	21,815 26	20 years	6%

CHAPTER 92.

An Act respecting the Township of Teck.

Assented to March 29th, 1932.

Preamble.

WHEREAS the corporation of the township of Teck has by its petition represented that it entered into agreements with the mining companies hereinafter named for the supply of water from the municipal system, and that under the terms of the said agreements the said companies have agreed to purchase water from the said municipality on the terms and conditions set forth in the said agreements; and that certain extensions have been made to the waterworks system, and that to defray the cost of such work the said corporation passed by-law number 581, authorizing the issue of debentures to the extent of \$400,000; and that the said corporation is desirous of applying the surplus revenue derived from the operation of the said water system in the manner hereinafter provided; and that the said corporation has also passed by-law number 585 to authorize the issue of debentures to the extent of \$16,000 to pay for certain road pavement works constructed by it; and that the said corporation has by its said petition prayed for special legislation in respect of the said matters as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Teck Act, 1932.*

By-law
No. 581 and
debentures
validated.

2. By-law number 581 of the corporation of the township of Teck passed on the 28th day of December, 1931, to authorize the issue of debentures for \$400,000 for waterworks purposes and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 585 and
debentures
validated.

3. By-law number 585 of the said corporation passed on the 28th day of December, 1931, to authorize the issue of debentures for \$16,000 for certain road pavement purposes

and

and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

4. Notwithstanding anything contained in section 298 of *The Municipal Act* or in any other Act, the five agreements dated the 22nd December, 1931, between the corporation of the township of Teck and Lake Shore Mines, Limited (No Personal Liability), the Teck-Hughes Gold Mines, Limited (No Personal Liability), Kirkland Lake Gold Mining Company, Limited (No Personal Liability), Sylvanite Gold Mines, Limited (No Personal Liability), and Wright-Hargreaves Mines, Limited, respectively, all of which are in the form set out in schedule "A" hereto, are hereby confirmed and declared to be legal, valid and binding upon the respective parties thereto and their respective successors and assigns.

Agreements
with
mining
companies
validated.

Rev. stat.,
c. 232.

5. Notwithstanding anything contained in section 31 of *The Public Utilities Act* or in any other Act and except as otherwise provided by paragraph 5 of each of the agreements referred to in section 4 hereof, the revenues arising from the supplying of water from the water system in that part of the township of Teck within the limits of Union School Section Number 2, townships of Teck and Lebel, as constituted at the 5th day of April, 1927, after deducting therefrom in each year such amounts as are required for the expenses of operating and maintaining the said water system and the deficit or deficits, if any, resulting from the operation of the said water system incurred in any previous year or years and such amounts as are required to be raised annually under any by-law for the issue of debentures of the said corporation for the construction, extension or improvement of the said water system, shall be placed annually in a separate account properly designated and the amount from time to time standing at the credit of the said account shall be used by the council of the said corporation for the purpose of redeeming from time to time at not more than par in the manner herein-after provided any or all of the debentures authorized by said by-law number 581 and debentures to an amount not exceeding \$100,000 authorized by by-law number 254 of the said corporation, and at any time that the corporation desires to redeem any such debentures it shall publish a notice stating the amount available for redemption purposes and calling for tenders of sufficient of such debentures to exhaust the said amount once a week for two consecutive weeks in a newspaper published at Kirkland Lake, Ontario. If no tenders are received, or if those received are not sufficient to exhaust such amount the council may make agreements with any holder or holders of such debentures for the redemp-

Application
of
waterworks
revenues.

Rev. stat.,
c. 249.

tion thereof out of the said amount or the balance thereof until the same is exhausted.

Special rate
for
deficiencies
in
waterworks
revenues.

6. If in any year the amount realized from the special rate levied over and above the amount of revenue received by the said corporation from the operation of the water system after having deducted therefrom maintenance and operating expenses of said water system and the deficit or deficits, if any, resulting from the operation and maintenance of the said water system incurred in any previous year or years, is insufficient to pay the annual instalment of principal and interest, the said corporation shall provide for the deficiency in the estimates for the following year and levy and collect by special rate an amount sufficient to provide for the annual payment in that year and the deficiency, if any of the previous year.

Commence-
ment of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

Memorandum of Agreement made this 22nd day of December, A.D. 1931.

BETWEEN:

THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF
TECK (hereinafter called the "Municipality"),

of the first part;

—and—

(Hereinafter called the "Company"),

of the second part.

Whereas the Municipality did on the 20th day of November, 1926, enter into an agreement with each of the following mining Companies severally to wit: Kirkland Lake Gold Mining Company Limited (No Personal Liability), The Teck-Hughes Gold Mines, Limited (No Personal Liability), Lake Shore Mines, Limited (No Personal Liability), and Sylvanite Gold Mines, Limited (No Personal Liability), hereinafter referred to in this Agreement as "the Companies," for the supply of water to them for the purposes as set out in the said Agreement;

And whereas the present source of supply of water has become inadequate;

And whereas it is deemed advisable to augment the present water supply system by:

(a) The construction of a thirty-inch pipeline from McTavish Lake to Gull Lake;

(b)

(b) The installation of a pumping station and equipment on the shore of McTavish Lake;

(c) The installation of additional pumping machinery and alterations to the pump house at Gull Lake; and

(d) The installation of a sixteen-inch feeder main and standpipe within the Municipality.

And whereas the capital cost of the works referred to in the preceding paragraph is approximately \$400,000.00;

And whereas it is proposed by the Municipality to finance the cost of such work by the issue of debentures, bearing interest at 6 per cent. per annum repayable in equal annual instalments of principal and interest over a period of fifteen years;

And whereas the Company is carrying on mining operations in the Township of Teck in the District of Temiskaming;

And whereas the Municipality has agreed to provide services and supply water to the Company at its present location within the Municipality on the terms and conditions hereinafter contained.

Now therefore this Agreement witnesseth that in consideration of the premises and for other good and valuable consideration the Parties hereto mutually covenant and agree each with the other as follows:

1. The Municipality agrees to lay, unless already installed, and maintain, a ten-inch water main to the property of the Company and to establish a ten-inch branch line at a point which is agreed upon between the Company and the Township Engineer, and to supply water at a minimum pressure at the Gull Lake pumping station of seventy pounds for mining, milling and domestic service and one hundred and fifty pounds for fire service, and under normal conditions at a height of 1,215 feet above sea level in the standpipe to be erected on Mining Claim T. 16635 in the said Township of Teck and of a purity to meet the requirements of the Department of Health, to the Company for the time that the Company shall carry on Mining and/or milling operations, and to commence to supply water under this Agreement not later than the 1st day of January, 1932, subject, however to the provisions hereinafter contained.

2. The Municipality further agrees to provide, install and maintain, a meter on the ten-inch branch line at or near the point of supply for the proper measurement of the water used by the Company, and to furnish true copies of the monthly meter readings to the Company and to render on or before the fifth day of each and every month a bill to the Company for the water supplied for the previous calendar month which shall be payable ten days after rendering; provided, however, that if the meter should fail to properly measure the water consumed in any one month or part of a month, the average consumption for the two calendar months immediately preceding shall be taken for the month in question and a bill rendered accordingly.

3. The Municipality further agrees to and with the Company that in the event of a fire occurring on the Company's property that the Municipality will on five minutes' notice, increase the water pressure on the general service to a point where one hundred and fifty pounds pressure will be available at the Gull Lake pumping station when five one and one-eighth inch fire hose streams are in operation on the Company's property.

4. The Company agrees to pay for water taken from the Municipal system, five and one-half cents (5½c.) per thousand gallons, until such time as the debenture indebtedness incurred by the Municipality to cover the enlargement of the water supply system made in 1926 and the enlargement now being made as hereinbefore recited has been fully paid and satisfied.

5. It is further understood and agreed that if the water, taken from the Municipality by all the following five mining companies, viz.: Lake Shore

Mines, Limited (No Personal Liability), The Teck-Hughes Gold Mines, Limited (No Personal Liability), Kirkland Lake Gold Mining Company Limited (No Personal Liability), Sylvanite Gold Mines, Limited (No Personal Liability), and Wright Hargreaves Mines Limited, in any year during the life of the debentures issued to cover the cost of the said enlargements of the water supply system, amounts in the aggregate to less than \$4,500.00, computed at five and one-half cents (5½c.) per thousand gallons, then the Company shall be liable to pay to the Municipality for such year up to \$900.00 less, however, all sums paid by it for water taken by it in such year and if the amount so paid by it for water used in such year equals or exceeds \$900.00 the Company shall not be liable for any further sum in that year under the provisions of this paragraph number 5.

If the Company should become liable at any time for any sum under the foregoing provision of this paragraph number 5 the proportion to be paid by it of the deficit in the \$4,500 shall be fixed on the following basis, viz.:

The value of the water used by the Company during the year in question at the price aforesaid shall be deducted from the \$900 and the remainder (hereinafter referred to as the Company's remainder) shall be added to the remainders similarly arrived at in the case of any other or others (if any) of said five mining companies who may during the year in question have become liable to the Municipality under similar provisions in agreements (identical in form with this agreement) made by them respectively with the Municipality. The proportion of the deficit to be paid by the Company shall be in accordance with the proportion which the Company's remainder bears to the sum total of such remainders.

The Company shall not in any way be liable for the default of any other of said five mining companies nor to pay in respect of any such deficit more than \$900.00 less the amount paid by it for water used by it during the year in question, nor in any event shall the Company be liable to pay more than its just proportion fixed on the aforesaid basis of any such deficit.

For the purpose of providing for the payment of that part of the debenture indebtedness assumed by the Companies under the 1926 agreement, the first \$4,500.00 collected in each year for water supplied by the Municipality to the said five mining companies shall be set aside by the Municipality and applied in payment of the annual payment on such debenture indebtedness falling due in that year.

6.—(1) The Company further agrees that when the debenture indebtedness referred to in paragraph 4 has been fully paid and satisfied, it will pay for all water supplied to it by the Municipality at a rate to be fixed by the Township Engineer, as follows:

The rate for each ensuing year shall be adjusted and fixed by the Township Engineer on the first day of January of the first year following the final payment on the debenture indebtedness referred to in paragraph 4 and on the first day of January in each and every year thereafter during the period of this Agreement and the price of water to the Company per thousand gallons shall be the cost of supplying the same as represented by the following items:

(a) The total yearly cost of power of the Municipality at the pumping stations for the immediately preceding year divided by the total amount of water in thousands of gallons pumped by the Municipality for all purposes during the year.

(b) Maintenance and overhead for the immediately preceding year on all trunk mains installed under the provisions of the 1926 Agreement, the thirty-inch trunk line from McTavish Lake to Gull Lake, the sixteen-inch line from Gull Lake to the stand pipe on Mining Claim No. T. 16635, the ten-inch trunk line from the corner of Goodfish Road and Government Road northerly to the property of Wright-Hargreaves Mines, Limited, and the stand pipe on Mining Claim No. T. 16635, divided by the total amount of water in thousands of gallons pumped by the Municipality for all purposes during the year.

(c)

(c) The wages of all operators at the pumping stations for the immediately preceding year divided by the total amount of water in thousands of gallons pumped by the Municipality for all purposes during that year.

(d) The cost of upkeep and replacement of all pumps and pumping machinery and additional equipment and repairs if necessary if required at the pumping stations on Gull Lake and McTavish Lake for the immediately preceding year, divided by the total amount of water in thousands of gallons pumped by the Municipality for all purposes during that year.

(e) The cost of chlorination, heating and lighting and other incidental expenses properly chargeable in connection with operations at the pump houses divided by the total amount of water in thousands of gallons pumped by the Municipality for all purposes during that year.

(f) One-half cent per thousand gallons.

And after the first year of operation under the provisions of this paragraph number 6:

(g) The amount of the deficit (if any) sustained by the Municipality during the immediately preceding year on each thousand gallons of water supplied to all such of the five Mining Companies mentioned in paragraph number 5 hereof as take their supply of water from the Municipality, during that year, such deficit (if any) being the difference between the cost of supplying water to the said Mining Companies as represented by items (a), (b), (c), (d) and (e) hereof and the amount of revenue per thousand gallons derived from the said Mining Companies under items (a), (b), (c), (d), (e) and (f) hereof.

(2) Provided that when the rate is being fixed each year under the provisions of this paragraph number 6 in the event of the Municipality having realized a surplus on each thousand gallons of water supplied to the five Mining Companies mentioned in paragraph number 5 hereof during the immediately preceding year over and above the amount of the rate per thousand gallons as fixed for the said immediately preceding year having first deducted from the amount of the said rate one-half cent, then such surplus shall be deducted from the amount arrived at by the calculation prescribed in this paragraph number 6 and the net result shall be the rate for the ensuing year.

7. The Company agrees that should a fire occur within the limits of the Townsite of Kirkland Lake or on the premises of any of the five Mining Companies mentioned in paragraph number 5 hereof that it will upon five minutes' notice being given, reduce the supply of water taken to a minimum necessary to keep the Company's mill in operation until such time as the fire shall have been extinguished, provided always, that this provision shall not be effective if and when a fire should occur or be in progress on or threatening the property of the Company.

8. It is agreed by and between the parties hereto that the Company's auditor or other duly accredited representative may at any time upon giving twenty-four hours' notice examine the books and records of the Municipality covering the waterworks transactions and the Municipality agrees to furnish every facility to such person or persons to enable all charges against any of the items referred to in paragraph number 6 to be thoroughly investigated and checked.

9. The Company further agrees to give the Municipality a right-of-way twelve feet in width over such part of the property of the Company as may be necessary for the proper laying and maintaining of the waterworks system and including the right to excavate and lay water pipes and subject to paragraph number 11 hereof to give the Municipality the right to make connections to the trunk main to supply water to any other customer; Provided, however, that should the Company's operations require any change in the location of any water pipes on its lands, the Municipality

agrees

agrees upon being given thirty days' notice in writing, to move, at the expense in the first place of the Municipality, the portion of the water main or branch line required to be moved to a new right-of-way to be agreed upon between the parties hereto and the cost of such removal shall be reimbursed to the Municipality by the Company within sixty days from the date of completion thereof. The Municipality shall not be liable to the Company for any loss or interruption of service caused by reason of any removal of the water main on the property of any of the five Mining Companies mentioned in paragraph number 5 provided such interruption of service does not continue for a longer period than five hours and provided that the companies affected by such interruption of service shall have been given six hours previous notice.

10. The Company shall be free to use for any purpose the water taken by it from the Municipality and without restricting the generality of the foregoing it is expressly declared that the Company may:

(a) Use the water for mining, milling and domestic purposes on any property at any time owned, leased or controlled by it;

(b) Supply water for domestic use to its employees and officials on any property at any time owned, leased or controlled by it;

(c) Supply water to any subsidiary company (i.e. any company in which the majority of the issued capital stock is held by the Company);

(d) Use the water for milling custom ores;

(e) Use the water for doing contract mining work for other companies;

(f) Use the water for retreating tailings of other companies; but the water shall be taken from the point of delivery as hereinbefore provided and except as permitted by the foregoing provisions the water is not to be resold by the Company.

11. The Municipality agrees that it will not during the currency of this agreement supply water for industrial purpose to any consumer at a rate which shall be less than the rate payable by the Company under this agreement, and the Municipality further agrees that the total quantity of water supplied by it for any purposes to consumers on a flat rate basis shall be charged for by the Municipality at a rate not less than the rate payable by the Company under this agreement.

It is provided further that the Municipality shall not supply water for mining and/or milling purposes to any company other than the five Mining Companies mentioned in paragraph number 5 hereof at any time when the supplying of water for either of such purposes to any such other Company detrimentally affects the supplying of water to Lake Shore Mines, Limited (No Personal Liability), The Teck-Hughes Gold Mines, Limited (No Personal Liability), Kirkland Lake Gold Mining Company Limited (No Personal Liability), Sylvanite Gold Mines, Limited (No Personal Liability) and Wright-Hargreaves Mines Limited, or any of them, or which renders inadequate the supply of water required by any of the said five Mining Companies for mining, milling and/or domestic purposes.

12. It is further agreed by and between the parties hereto that the Municipality shall not be liable for any loss or damage occasioned through failure to supply water according to the terms of this Agreement by reason of conditions beyond the control of the Municipality.

13. The Municipality agrees to have prepared and delivered to the Company blueprints showing in detail the mains and other equipment installed under the provisions of the 1926 Agreement, and the mains, stand pipe and other equipment being installed under the enlarged water scheme at present being installed.

14. It is agreed by and between the parties hereto that should any dispute arise under the provisions of this Agreement either party thereto may on giving ten days' notice in writing to the other party refer such

matter in dispute to the award and determination of The Ontario Railway and Municipal Board as arbitrators, which Board shall have all the powers given by *The Arbitration Act* (Ontario) to arbitrators. The provisions of the said *Arbitration Act* shall govern all such references and either party shall have the right to appeal from the award of the said Board.

15. It is further agreed that wherever the expression "gallons" is used in this Agreement, it shall be deemed to mean Imperial gallons and no other.

16. It is further understood and agreed that from and after the 1st day of January, 1932, all the Agreements entered into between each of the Companies and the Municipality, dated the 20th day of November, 1926, shall become and be null and void and of no further effect and the Company, party hereto, shall be and is hereby released from liability to pay any further sums of any nature under its said Agreement of November 20th, 1926.

17. It is understood and agreed that the Municipality is entering into agreements identical in form with this Agreement with each of the other four Mining Companies mentioned in paragraph number 5 hereof. Performance by the Company of the terms of this Agreement is conditional upon the said other agreements being entered into. The Municipality agrees to enforce payment by each of said other four Mining Companies of any amounts which may be payable by them respectively under such other agreements.

18. This Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

In witness whereof the parties hereto have executed this Agreement.

SIGNED, SEALED AND DELIVERED

THE MUNICIPAL CORPORATION OF THE
TOWNSHIP OF TECK.

In the presence of:

By.....
Reeve.

And.....
Clerk.

CHAPTER 93.

An Act respecting the City of Toronto.

Assented to March 29th, 1932.

Preamble.

WHEREAS the corporation of the city of Toronto has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Toronto Act, 1932*.

Con-
firmation
of specified
expendi-
tures.

2.—(1) The following expenditures by the council of the corporation of the city of Toronto out of current revenue for 1931 are hereby authorized, validated and confirmed, namely:

- (1) A grant of \$350 to the Monarch Athletic Club;
- (2) A grant of \$500 to the British Welcome and Welfare League;
- (3) A grant of \$2,500 to the Canadian Mothercraft Society;
- (4) A grant of \$100,000 to the Federation for Community Service Fund;
- (5) A grant of \$20,000 to the Federation of Catholic Charities;
- (6) A grant of \$15,000 to the Federation of Jewish Philanthropies;
- (7) A grant of \$5,000 to the Canadian Red Cross Society, Toronto Branch.

Certain
grants
for 1932
authorized.

(2) The council of the said corporation may out of current revenue for 1932 make grants of \$5,000 to the Canadian Social Hygiene Council and \$500 to the St. Elizabeth Visiting Nurses' Association.

3. The council of the said corporation may, by by-law passed by a vote of two-thirds of all the members of the council, remit or refund such portion as to the said council may seem fair and equitable of the special rate imposed on any lot for the construction as a local improvement of the pavement on Weston Road from 350 feet north of the north street line of St. Clair Avenue to the north city limit under the provisions of by-law number 11324 passed by the said council, and the amount of any portion of the said rate so remitted or refunded shall be paid by the corporation out of current revenue.

Power to remit special rates for Weston Road pavement.

4. The council of the said corporation may, by by-law passed by a vote of two-thirds of all the members of the council, remit or refund such portion as to the said council may seem fair and equitable of the special rate imposed on any lot for the grading as a local improvement of Lawrence Avenue from 1,000 feet west of Yonge Street to the west city limit under the provisions of by-law number 10309 passed by the said council, and the amount of any portion of the said rate so remitted or refunded shall be paid by the corporation out of current revenue.

Power to remit special rates for Lawrence Avenue grading.

5. The council of the said corporation may out of current revenue refund to the trustees of the Massey Music Hall the amount of local improvement rates paid by such trustees in respect to Massey Music Hall during the years 1924 to 1931 inclusive.

Refund of certain rates to Massey Hall trustees.

6.—(1) All sales of land within the city of Toronto made prior to the 31st day of December, 1930, and purporting to have been made by the treasurer of the said city for arrears of taxes in respect to the land so sold are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold.

Tax sales and conveyances, confirmed.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Pending litigation not affected.

By-laws Nos.
7951 and
10649 relat-
ing to
Toronto Fire
Department
Super-
annuation
and Benefit
Fund
validated.

Rev. Stat.,
c. 222.

By-law
No. 13273
relating to
Toronto
Police
Benefit Fund
validated.

Rev. Stat.,
c. 222.

By-laws and
debentures,
confirmed.

7. By-law number 7951 passed by the council of the said corporation and being "A By-law respecting the Toronto Fire Department Superannuation and Benefit Fund" and by-law number 10649 passed by the said council and being "A By-law respecting the Toronto Fire Department Superannuation and Benefit Fund" are and each of them is hereby declared to have been legally and validly passed by the said council and to be legal, valid and binding upon the said corporation and the ratepayers thereof and all contributors to and beneficiaries of the said Toronto Fire Department Superannuation and Benefit Fund, and, notwithstanding any other act or instrument to the contrary, to be the consolidated constitution, by-laws and rules referred to in section 211 of *The Insurance Act* in force on and after the effective dates of the said by-laws respectively.

8. By-law number 13273 passed by the council of the said corporation and being "A By-law respecting the Toronto Police Benefit Fund" is hereby declared to have been legally and validly passed by the said council and to be legal, valid and binding upon the said corporation and the ratepayers thereof and all contributors to and beneficiaries of the said Toronto Police Benefit Fund and, notwithstanding any other act or instrument to the contrary, to be the consolidated constitution, by-laws and rules referred to in section 211 of *The Insurance Act* in force on and after the effective date of the said by-law.

9.—(1) The following by-laws passed by the council of the said corporation, and all debentures issued or to be issued thereunder, and all rates and assessments levied or to be levied for the payment thereof, are hereby ratified and confirmed, and declared to be legal, valid and binding on the said corporation and the ratepayers thereof, namely:

- (a) By-law number 13569, being "A By-law to provide for borrowing \$73,058.51 upon debentures to pay for the construction of an asphalt pavement on the south side of Keating Street, from Carlaw Avenue to Leslie Street";
- (b) By-law number 13558, being "A By-law to provide for borrowing \$9,602.38 upon debentures to pay for the construction of an asphalt pavement on Spadina Avenue, east side, from College Street to Spadina Crescent";
- (c) By-law number 13570, being "A By-law to provide for borrowing \$81,641.39 upon debentures to pay for the construction of an asphalt pavement on the

north side of Queen's Quay, from Yonge Street to the east side of Parliament Street"; and

- (d) By-law number 13565, being "A By-law to provide for borrowing \$16,955.66 upon debentures to pay for the construction of a sewer on University Avenue, east side, south of Queen Street".

(2) The council of the said corporation may construct pavements on the north side of Keating Street, from Carlaw Avenue to Leslie Street, and on the south side of Queen's Quay, from Yonge Street to the east side of Parliament Street, or any portion of such pavements, as local improvements under the provisions of *The Local Improvement Act*, but notwithstanding the provisions of the said Act the said council may specially assess the owners' portion of the cost of the said works only upon the lots on the north side of Keating Street or on the south side of Queen's Quay, as the case may be, abutting directly on the work.

Powers as to certain pavements.

Rev. Stat., c. 235.

10. The council of the said corporation may lease to the 14th Infantry Brigade Armouries Association as a site for an armoury certain lands of the corporation situate on the north side of Fleet Street in the said city, upon such terms as may be agreed upon by the said council and the said association, and in the event of such a lease being granted by the corporation the said land shall be exempt from taxation while used for the purposes of such armoury.

Power to lease site for Armouries.

11. Section 3 of the Act passed in the nineteenth year of the reign of His Majesty King George the Fifth, chaptered 124, as amended by section 8 of *The City of Toronto Act, 1930*, is hereby further amended by striking out the words "three year" in the last line and inserting in lieu thereof the words "five years."

19 Geo. V., c. 124, 1930, c. 105, s. 8, amended.

12.—(1) The council of the said corporation may from time to time pass a by-law or by-laws to authorize the issue of debentures payable within twenty years from the date of their issue to raise the sums hereinafter mentioned for the following purposes, or any of them, namely:

Power to issue debentures for certain purposes, conferred.

- (a) \$225,000 for a grant to the National Sanitarium Association towards the cost of the erection of buildings at Weston and Gravenhurst;
- (b) \$35,000 for a grant to the Toronto East General Hospital towards the cost of erecting a nurses' residence.
- (c) \$152,000 to replace the Eastern Avenue Bridge over the Don River;

(d)

- (d) \$249,000 to construct a bridge to carry Mount Pleasant Road over Strathgowan Avenue;
- (e) \$128,140 to construct a bridge to carry Patricia Drive over the Canadian National Railway's right of way.
- (f) \$180,000 to construct a new police station and municipal offices in Ward 7, including site;
- (g) \$600,000 to construct a new refuse disposal plant;
- (h) \$55,000 for construction of new fire halls;
- (i) \$9,604 for police station and fire hall sites;
- (j) \$225,000 for a combined garage for the police and fire departments.

Validity of
debentures.

(2) It shall not be necessary for the council of the said corporation to obtain the assent of the electors of the said city qualified to vote on money by-laws to the passing of any by-law authorizing the issue of any of the debentures as set out in this section or to observe in respect thereto the formalities prescribed by *The Municipal Act* in respect to the passing of money by-laws.

Rev. Stat.,
c. 233.

Debenture
interest, etc.

(3) Debentures issued under the provisions of any such by-law shall bear interest at such rate as the council of the said corporation shall in such by-law determine and the principal and interest thereof may be made payable in any manner authorized by *The Municipal Act*.

Rev. Stat.,
c. 233.

Irregularities
not to
invalidate.

(4) All debentures issued under the authority of this Act shall be legal, valid and binding upon the said corporation and the ratepayers thereof respectively notwithstanding any irregularity in the form of any of such debentures or in any by-law authorizing the issue thereof.

1914, c. 98,
s. 9, 1920, c.
144, s. 19.

13. It is hereby declared that section 9 of chapter 98 of the Statutes of Ontario, 1914, section 19 of chapter 144 of the Statutes of Ontario, 1920, and *The City of Toronto Parks Act, 1925*, have, from the dates when they respectively came into force and during the time that they respectively were or are in force, authorized the issue of debentures payable within the period provided by *The Municipal Act* in respect to debentures for the purchase or improvement of parks.

Rev. Stat.,
c. 233.

Commence-
ment of Act.

14. The provisions of this Act, other than section 6, shall come into force on the day upon which it receives the Royal Assent. Section 6 shall come into force on the 1st day of July, 1932.

CHAPTER 94.

An Act respecting the Township of Toronto.

Assented to March 29th, 1932.

WHEREAS the corporation of the township of Toronto ^{Preamble.}
has by its petition prayed for special legislation in
respect of the matters hereinafter set forth; and whereas it
is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and
consent of the Legislative Assembly of the Province of
Ontario, enacts as follows:

1. This Act may be cited as *The Township of Toronto Act*, ^{Short title.}
1932.

2. The council of the corporation of the township of ^{Creation of}
Toronto may from time to time pass by-laws to set apart ^{water areas}
and establish as a water area any portion of the township ^{and}
described in such by-law, to construct, enlarge, extend, improve ^{construction}
and operate waterworks systems within or outside of any ^{of works.}
water area or areas to serve such water area or one or more
water areas or lands situate therein.

3.—(1) The entire cost of the construction, enlargement, ^{Assessment}
extension, improvement, operation, maintenance, manage- ^{of cost.}
ment and repair of any such waterworks systems save and
except such works as are undertaken pursuant to the provi-
sions of *The Local Improvement Act* as hereinafter provided,
shall be assessed and levied upon all the rateable property ^{Rev. Stat.,}
in the area or areas to serve which such works have been ^{c. 235.}
undertaken, provided that where such works are undertaken
to serve more than one area the council shall by by-law
determine the portion of the cost thereof to be borne by
each of such areas.

(2) The revenues arising from the operation of any such ^{Application}
works shall form a special fund for the use of the area to ^{of revenues.}
serve which such works have been undertaken. Provided
that where such works have been undertaken to serve more
than one area the said revenues shall be apportioned between

or among the areas served in the same proportions as they contributed to the cost of the construction of such works.

Term of
debentures.

4. Where the whole or any portion of the cost of any work is assessed against all the rateable property in any area or areas, the debentures issued to provide for the payment of the cost so assessed may be made payable within thirty years from the date of issue of such debentures.

Certain
works as
local im-
provements.

5. The council may undertake within any water area or areas the construction of waterworks, watermains and necessary appliances and accessories and private drain connections as local improvements pursuant to the provisions of *The Local Improvement Act*, provided that:

Rev. Stat.,
c. 235.

Exceptions
from
Rev. Stat.,
c. 235.

Corpora-
tion's
portion of
cost
assessable
to area.

(a) Except as in this section otherwise expressly provided where a work is constructed to serve lands situate entirely within one area, that part of the cost which would otherwise be the corporation's portion of the cost shall be assessed upon all the rateable property in the area and the remainder of the cost of such work shall be specially assessed upon the lots within such area fronting or abutting directly on or served by the work.

Apportion-
ment of cost
among areas.

(b) Where a work is constructed to serve lands situate within more than one area, the council shall by by-law determine the portion of cost to be borne by each area, and such respective portions shall be assessed in such areas in the manner in this section provided.

Fixed
frontage
rate.

(c) The council may by by-law passed at any general or special meeting by a vote of three-fourths of all the members of the council provide that a certain annual rate per foot frontage in satisfaction of the owners' portion of the cost shall be assessed upon, levied and collected from the lots fronting or abutting directly on or served by the watermains constructed in the area designated in such by-law during the currency of the debentures issued to pay for the cost of such watermains and that the remainder, if any, of the cost not provided for by such annual rate, shall be assessed and levied upon all the rateable property in the area, provided that if in any case such annual rate per foot frontage shall be more than sufficient to provide for the actual cost of the watermains the surplus resulting therefrom shall be deposited to a special account to be used by the council for the benefit of such area. Any such by-law

shall

shall not be repealed or amended except by a vote of three-fourths of all the members of the council.

- (d) In any notice of council published, served or mailed pursuant to sections 10, 12, 37 or 42 of *The Local Improvement Act* in respect to the construction of watermains it shall not be necessary to show the portion of the cost, actual or estimated, which is to be borne by the corporation or the area, but it shall be sufficient to show the estimated cost of the work and the estimated cost thereof per foot frontage. Publication of notices.
- (e) After a work undertaken has been completed it shall during its lifetime be maintained, managed and kept in repair by and at the expense of the area for the benefit of which it is constructed, or if constructed for the benefit of more than one area then at the expense of the areas in proportion to their respective shares of the cost of the construction thereof. Maintenance of work.
- (f) The debentures issued for the sums borrowed to defray any portion of the cost of any work which is assessed against all the rateable property in any area may be made payable within thirty years from the date of issue thereof if issued separately from the debentures issued to defray the portion of the cost which is specially assessed upon the lands fronting or abutting directly on or served by such work. Debentures.

6. The council may agree with any bank or person for temporary advances to meet the cost of any of the works hereby authorized pending the completion thereof, and the council may when the work undertaken is completed borrow on the credit of the corporation at large such sums as may be necessary to repay such advances and to defray the cost of the work undertaken including the items of cost referred to in subsection 2 of section 20 of *The Local Improvement Act*, and may issue debentures for the sums so borrowed. Temporary loans and debentures.

7. If in any year the amount realized from the rates imposed to provide for the cost of any work and the interest thereon is insufficient to pay the amount falling due in such year in respect of the debentures issued to pay for the cost of such work, the council shall provide for the deficiency in the estimates for the current or the following year, and levy and collect the same by a general rate on all the rateable property in the municipality, but this shall not relieve the land in such area or areas so assessed and upon which the said rates are imposed from payment of the said rates. Deficiency in rates.

Rev. Stat.,
c. 235, secs.
46 and 47,
to apply.

8. The provisions of sections 46 and 47 of *The Local Improvement Act* shall apply *mutatis mutandis* to the works undertaken and debentures issued under this Act.

Alteration
of areas.

9. The council of the township of Toronto may from time to time pass by-laws to enlarge or reduce any defined area by annexing thereto such portion or portions of the said township or of any area or by withdrawing therefrom such portion or portions of the area as may be designated in the by-law, or to amalgamate any two or more areas or parts thereof, or to subdivide, vary, or alter any one or more areas, upon such terms and conditions and with such adjustments of rates as may be provided in the by-law.

Supply of
water
outside area.

10. The said corporation may supply water for the use of persons or institutions not within any such sections or areas.

Water
supply
agreements
with other
municipi-
palities.

11. The said corporation may enter into agreements with any other municipal corporation for a supply of water to serve the waterworks systems constructed, maintained and operated under the authority of this Act, and all cost, charges and expenses in connection therewith may be assessed and levied on all the rateable property in the area benefited thereby or, if in more than one area, then on all the rateable property in such areas in such proportions as the council may by by-law determine.

Require-
ments as to
by-laws
establishing
areas and
undertaking
works.

12.—(1) It shall not be necessary to submit for the assent of the electors any by-law passed pursuant to the provisions of this Act but no by-law to set apart and establish a water area pursuant to this Act or to apportion the cost of any work between two or more areas or parts thereof or to declare the desirability of undertaking or to undertake the construction of any work hereinbefore mentioned shall be valid unless the same has been passed at a meeting of the council by vote of two-thirds of all the members thereof.

Petition to
Municipal
Board.

(2) Where the council passes any such by-law, twenty-five per cent. of the owners representing one-quarter of the total rateable assessment of such area or areas to be assessed therefor being dissatisfied with the establishment of a proposed water area or with the proposed apportionment of cost of works for two or more areas or with the proposed work or with the manner in which it has been undertaken may by petition apply to the Ontario Municipal Board for relief and the Board may thereupon investigate the complaint and make such order with respect to the proposed scheme or work as may seem proper and after notice to the clerk of the said township of the application and pending its determination by the Board the council shall not proceed

with the proposed scheme or work, or pass any by-laws in respect thereto.

(3) The sufficiency of such petition shall be determined in the manner provided by section 15 of *The Local Improvement Act*. Sufficiency of petition.

(4) Such petition shall be deposited with the Secretary of the Board within twenty-one days after publication of notice of the council's intention to pass a by-law for any of the purposes referred to in subsection 1. Filing of petition.

(5) A by-law for any of the purposes referred to in subsection 1 shall not be passed until the expiry of twenty-one days after publication of the notice referred to in subsection 4, and such notice shall substantially be in the same form and to the same intent as the form of notice required to be published pursuant to section 10 of *The Local Improvement Act* with such amendments therein as may be requisite for the purposes of this section. Passing of by-law and publication of notice.

13. All rates imposed and levied pursuant to the provisions of this Act shall be deemed to be local improvement rates for the purposes of section 306 of *The Municipal Act* and no rate levied pursuant to this Act shall be deemed to be included in the rate of two and a half cents in the dollar referred to in said section 306 for the purpose of determining whether the council may contract any further debts, and any debt may be contracted pursuant to the provisions of this Act notwithstanding the limitations prescribed by said section 306. Rev. Stat., c. 233, s. 306, not to apply to any rates imposed under this Act.

14. The council of the municipal corporation of the township of Toronto may pass by-laws for the following purposes: Authority to pass by-laws.

- (1) For inspecting public bathing-houses and boathouses or premises wholly or partly used for boathouse purposes. Bathing-houses, etc.
- (2) For regulating the size and strength of brick, stone, cement and concrete walls, and of the beams, joists, rafters, roofs and their supports of all buildings to be erected, altered or repaired, and for requiring the production of the plans of all buildings, and for charging fees for the inspection and approval of such plans, and fixing the amount of the fees and for the issuing of a permit certifying to such approval without which permit no building or structure may be erected, altered or repaired. Building regulations.

- Wrecking of buildings. (3) For regulating the removing or wrecking of buildings and the spraying thereof during such work so as to prevent dust or rubbish arising therefrom.
- Use of buildings. (4) For regulating and governing the use of any building for purposes for which it may be structurally unsuited, or which from the size or strength of its walls, supports or floors may render the same dangerous and for requiring the owner or occupant to obtain a permit from the architect or other municipal officer named in the by-law before putting any building to such use.
- Plans of buildings. (5) For requiring to be deposited with an officer named in the by-law, before the erection of a building is commenced, a ground or block plan of the building, with the levels of the cellars and basements, with reference to a line fixed by by-law.
- Children riding on rear of vehicles. (6) For prohibiting children from riding on the platforms of cars, or riding behind or getting on wagons, sleighs or other vehicles while in motion, and for preventing accidents arising from such cases.
- Right-of-way for fire apparatus. (7) For providing that the reels, engines and vehicles of the fire department of the said township or any municipality shall have the right-of-way on the streets and highways while proceeding to a fire or answering a fire-alarm call.
- Appointment of firemen. (8) For appointing fire wardens, fire engineers and firemen and for promoting, establishing and regulating fire, hook-and-ladder, and property-saving companies.
- Traffic regulation.
Rev. Stat., c. 251. (9) Subject to *The Highway Traffic Act* for prohibiting heavy traffic and the use of traction engines and the driving of cattle, sheep, pigs and other animals during the whole or any part of the day or night in certain highways and public places named in the by-law, and for prohibiting traffic in any but one direction in highways which in the opinion of the council are too narrow for the passing of one vehicle by another or in which, in the opinion of the council it is desirable that traffic should be limited to one direction.
- Street sales regulation. (10) For prohibiting or regulating the sale by retail on certain defined highways or parts of highways or on vacant lots adjacent to such highways or parts of

highways of any meat, vegetables, grain, hay, fruit, beverages, smallwares and other articles, and for regulating traffic in and preventing the blocking up of the highways by vehicles or otherwise.

- (11) For declaring any highway or part of a highway to be a residential street, and for prescribing the distance from the line of the street in front of it at which no building on a residential street may be erected or placed. Residential streets.

(a) It shall not be necessary that the distance shall be the same on all parts of the street.

(b) The by-law shall not be passed except by a vote of two-thirds of all the members of the council.

15. The putting down of watermains, service pipes, or hydrants, stop cocks, or other appliances by the said corporation on any streets laid out on any registered plan or on land used as a highway, and the assessing of the cost of such watermains, service pipes, hydrants, stop cocks or other appliances against the lands fronting and abutting thereon, shall not be deemed as assumption of the said streets or lands as highways of the said municipality. Putting down of watermains, etc., and assessing of cost not to be assumption of streets as highways.

16. The council of the township may from time to time pass by-laws providing for the collection, removal and disposal by the corporation of ashes, garbage and other refuse throughout the municipality, or any defined areas of it as set apart by the council, at the expense of the owners and occupants of the land therein, and for imposing upon such land, according to its assessed value, a special rate on the dollar to defray the expense of such collection, removal and disposal. Removal of garbage, etc., and special rate for same.

17. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 95.

An Act respecting the City of Windsor.

Assented to March 29th, 1932.

Preamble.

WHEREAS the corporation of the city of Windsor has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is deemed expedient to grant the prayer of the said petition;

Therefor, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Windsor Act, 1932.*

Interpre-
tation.

2. In this Act,

"Board."

(a) "Board" shall mean the Ontario Municipal Board;

"Board of
Education."

(b) "Board of Education" shall mean the Board of Education for the city of Windsor;

"Corpora-
tion."

(c) "Corporation" shall mean the Corporation of the city of Windsor;

"Council."

(d) "Council" shall mean the Council of the corporation;

"Housing
Commis-
sion."

(e) "Housing Commission" shall mean the Housing Commission of the city of Windsor appointed under *The Ontario Housing Act, 1919*, and under *The Municipal Housing Act, 1920*;

"Improved
land."

(f) "Improved land" shall mean any parcel of land separately assessed which has a building thereon;

"Local
board."

(g) "Local board" shall mean and include the housing commission, board of education, separate school board, parks board, police commission, public library board, local board of health, and any other board, commission or other local authority which for its

purposes

purposes may require the council to provide funds by way of taxation or otherwise;

- (h) "Municipality" shall mean the municipality of the city of Windsor; and shall include the corporation thereof and every local board thereof; "Municipality."
- (i) "Parks board" shall mean the Board of Park Management for the city of Windsor; "Parks board."
- (j) "Police Commission" shall mean the Board of Police Commissioners for the city of Windsor; "Police Commission."
- (k) "Public School Board" shall mean the Windsor Public School Board; "Public School Board."
- (l) "Registrar" shall mean the registrar of the registry office; "Registrar."
- (m) "Registry Office" shall mean the registry office for the registry division of the county of Essex; "Registry Office."
- (n) "Separate School Board" shall mean the board of trustees of the Roman Catholic Separate Schools for the city of Windsor; "Separate School Board."
- (o) "Treasurer" shall mean the treasurer of the corporation; "Treasurer."
- (p) "Vacant Land" shall mean any parcel of land separately assessed, which has no building thereon; "Vacant land."

3.—(1) Where any part of the taxes on any vacant land within the municipality remains unpaid on the 31st day of December in the year next following that in which the taxes were levied, such vacant land shall be vested in and become the property of the corporation upon registration by the treasurer of a tax arrears certificate, subject to the right of redemption hereinafter provided and to the provisions of subsection 5. Vesting of vacant lands in arrears for taxes.

(2) Where any part of the taxes on improved land within the municipality remains unpaid on the 1st day of January in the third year following that in which the taxes were levied, such improved land shall be vested in and become the property of the corporation upon registration by the treasurer of a tax arrears certificate, subject to the right of redemption hereinafter provided and to the provisions of subsection 5. Vesting of improved lands in arrears for taxes.

Registration
of tax arrears
certificate.

(3) The treasurer, with respect to vacant land upon which any part of the taxes remain unpaid after the time mentioned in subsection 1 and with respect to improved land upon which any part of the taxes remains unpaid after the time mentioned in subsection 2, may register in the registry office a certificate to be known as a tax arrears certificate, Form 1 to this Act, setting forth therein a description of such vacant land or improved land, as the case may be, and the amount of such unpaid taxes, with the amount of all penalties, interest and costs added thereto, and thereupon the land described in the certificate shall be vested in and become the property of the corporation, its successors and assigns, in fee simple or otherwise according to the nature of the estate right, title and interest whatsoever of the owners hereof at the time of such vesting, and clear of and free from all such estate right, title and interest, and all charges and encumbrances thereon and dower therein, subject only to the said right of redemption hereinafter provided and to the provisions of subsection 5.

Notice of
registration
of
certificate.

(4) Immediately upon registration of a tax arrears certificate the treasurer shall cause to be sent by registered mail to the last known address of the assessed owner of the land therein described and to all persons appearing by the records of the registry office to have an interest therein a written notice, Form 2 to this Act, of the registration of such certificate and of the last day for redemption of such land.

Interest of
Crown not
affected.

(5) Where the Crown, whether as represented by the government of Canada or the government of the province of Ontario, has any interest in any land in respect of which taxes are in arrear, the interest only of the persons other than the Crown therein shall be vested in the corporation by the registration of a tax arrears certificate, and where such interest is that of a lessee, licensee or locatee, such vesting shall be valid without requiring the consent of the Minister of Lands and Forests.

Right of
redemption.

4. The owner of or any person appearing by the records of the registry office to have an interest in any vacant land or improved land in respect of which a tax arrears certificate has been registered may redeem the same at any time within one year after the date of registration of the certificate by paying to the corporation the amount set forth in such certificate in respect of the land to be redeemed, together with the amount of all expenses incurred by the corporation and the treasurer in registering the certificates and for searches and postage and \$1 for each certificate and for each notice sent under subsection 4 of section 3, and also by paying to the corporation all taxes including the local improve-

ment rates and interest thereon which would have accrued against the land if it had remained the property of the former owner and had been liable for ordinary taxation and if the value thereof is not shown upon the assessment roll, such taxes shall be computed at the rate fixed by by-law for each year for which such taxes are payable upon the value placed thereon upon the assessment roll for the last preceding year in which it was assessed and the local improvement rates shall be computed at the rate fixed in the by-law by which the same were rated or imposed and upon the frontage as shown upon the list of properties and the frontages thereof as settled by the court of revision for such local improvement, and a certificate of the treasurer as to the total amount payable in order to redeem the land shall be final and conclusive.

(2) Upon redemption being made under this section, the treasurer shall forthwith register in the registry office a certificate to be known as a redemption certificate, Form 3 to this Act, setting forth therein a description of the land redeemed, and a redemption certificate shall, subject to subsection 3, when registered, be as valid and effective in law as a conveyance of the land described therein to the registered owner at the time of registration of the tax arrears certificate, his heirs or assigns, of the original estate of such registered owner and a valid and effectual cancellation of the tax arrears certificate registered with respect to such land.

(3) If 'and is redeemed by any person entitled to redeem the same other than the owner, such person shall have a lien upon the owner's interest therein for the amount paid to redeem the said land.

5.—(1) Every certificate registered under sections 3 and 4 shall be entered by the registrar in the registry book in its proper order and in the proper abstract index provided under *The Registry Act*.

(2) The registrar shall be entitled to the following fees for registration of a certificate under sections 3 and 4 and for searches made for the corporation for the purposes of section 3 and no others:

- (a) For registering a tax arrears certificate, \$2.00;
- (b) For registering a redemption certificate, .50c.;
- (c) If either certificate embraces more than one parcel of land, for each additional parcel over one, .05c.;
- (d) For each search made for the corporation for the purposes of section 3 five cents for each lot searched,

but

but in no case to be more than \$5 for a search in respect of the lands described in any one tax arrears certificate.

Land
transfer tax
not payable.

(3) No tax shall be payable under the provisions of *The Land Transfer Tax Act* on registration of any tax arrears or redemption certificate.

Penalty on
tax arrears.

6. Notwithstanding the provisions of *The Assessment Act*, the collector shall return his roll to the treasurer on or before such day in the year next following the year in which he received it as the council may by by-law direct, and the treasurer shall, as of the same day in every year, add ten per centum to arrears of all taxes then due and payable; but where by the by-laws of the corporation the taxes are payable in bulk or by instalments with a percentage added for default the treasurer shall only add a further percentage, so that the whole addition shall amount to ten per centum of the arrears.

Separate
assessment
of business.

7.—(1) Notwithstanding the provisions of *The Assessment Act*, the council of the corporation may by by-law provide for taking the assessment of business separately from the time for taking the assessment of real property and for taking the same during such time of the year in which the rates of taxation thereon are to be levied as the by-law may provide.

Return of
roll and
appeals
therefrom.

(2) Any such by-law shall provide for the time when the roll for such business assessments shall be returned, and for the holding of a court of revision for hearing appeals from any assessment therein in manner provided by *The Assessment Act* upon the return of such assessment roll to the clerk. The time for appeal to the court of revision shall be within ten days after the last day fixed for return of the said roll and the time for appealing from the court of revision to the county judge shall be within three days after the decision of the court of revision is given.

Final
Revision.

(3) The assessment of business so made and completed in any year, whether or not it is completed by the time provided by the by-law shall upon its final revision be the assessment of business on which the rate of taxation upon business for such year shall be levied by the council and the assessment roll thereof with the assessment roll of real property and other assessments made for the same year shall when both thereof are finally revised, together form the last revised assessment roll of the whole rateable property within the municipality within the meaning and for the purposes of *The Municipal Act*, *The Assessment Act*, and any other general or special Act.

(4) The council may provide that taxation upon business assessments may be made payable at times different from those at which other taxation is made payable.

Taxes
may be
payable at
times fixed
by council.

8.—(1) Every local board and the Essex Border Utilities Commission and the Windsor and Walkerville Technical School Board shall not later than the 20th day of November in each year, prepare and submit to the council an estimate in the form prescribed by or under *The Municipal Act* of the amount of its requirements for the succeeding year which the council has by law to provide.

Yearly
estimates.

(2) The council shall prepare in the form prescribed by or under *The Municipal Act* and not later than the 20th day of November in each year the estimates for the succeeding year.

Rev. Stat.,
c. 233.

9. By-law number 4102 of the corporation providing for the prepayment of taxes and allowing discounts and penalties in connection therewith is hereby validated and confirmed.

By-law
No. 4102
validated.

10.—(1) All sales of land situate within the municipality held prior to the 31st day of December, 1930, and purporting to have been made for arrears of taxes payable to the corporation in respect to the lands so sold are confirmed and declared to be legal, valid and binding and all conveyances of land so sold executed as required by *The Assessment Act* purporting to convey the said lands to the purchaser thereof or his heirs or assigns or to the corporation, are also confirmed and declared to be legal, valid and binding and shall have the effect of vesting the lands so sold and same are hereby vested in the purchaser or his heirs or assigns and in his heirs and assigns or in the corporation, and its successors and assigns, as the case may be, in fee simple or otherwise, according to the nature of the estate or interest sold, free and clear of and from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges, liens and encumbrances thereon of every nature and kind and dower therein, except municipal taxes imposed by the corporation accruing after those for non-payment of which the said lands were so sold.

Tax sales
and
conveyances
confirmed.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceeding now pending, but subject to the provisions of this Act the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this section had not been passed.

Pending
litigation
not affected.

11. The housing commission may with the approval of the board, amend the terms of any agreement for sale of property

Power of
Housing
Commission
to amend
agreements.

heretofore

heretofore or hereafter entered into by it and with respect to property sold under any agreement which has been cancelled or determined may enter into new agreements for sale thereof, and the terms of any such amended or new agreement may be such as the board may approve.

Compromise
of tax
arrears.

12. The council with the approval of the board may authorize a compromise of tax arrears to be entered into between the corporation and any ratepayer and in such compromise may provide for an extension of the time of payment of such arrears and a reduction of the amount thereof and acceptance of any debentures or debenture coupons of the corporation in satisfaction of the whole or part thereof.

Provisions
of this Act
to prevail.

13. The powers contained in this Act shall be deemed to be in addition to and not in derogation of any power of the corporation under any other Act, but where the provisions of any general or special Act conflict with the provisions of this Act, the latter shall prevail.

Commence-
ment of Act.

14. This Act, other than section 10, shall come into force on the day upon which it receives the Royal Assent. Section 10 shall come into force on the 1st day of July, 1932.

FORM 1

TAX ARREARS CERTIFICATE

To the Registrar of the Registry Division of the County of Essex:

I HEREBY CERTIFY by virtue of *The City of Windsor Act, 1932*, section 3, that the lands hereinafter described, by reason of certain taxes thereon remaining unpaid for the period mentioned in said section are hereby vested in and have become the property of the Corporation of the City of Windsor:

Description of Lands	Amount of Unpaid Taxes with Penalties, Interest and Costs	Whether Vacant or Improved Land

The period within which the right of redemption may be exercised under the said Act with respect to the above described land is one (1) year from the date of registration of this certificate.

Dated at.....this.....day of....., 19 ..

.....
Treasurer.

FORM 2

NOTICE OF REGISTRATION OF TAX ARREARS CERTIFICATE

TAKE NOTICE that by virtue of *The City of Windsor Act, 1932*, section 3 a tax arrears certificate has been registered against the following lands, namely:

.....
.....

and by reason thereof the same are vested in and have become the property of the corporation of the City of Windsor subject only to your right of redemption of the same on or before the.....day of....., 19 .., which is the last day for redemption.

Dated at.....this.....day of....., 19 ..

.....
Treasurer.

FORM 3

REDEMPTION CERTIFICATE

To the Registrar of the Registry Division of the County of Essex:

I HEREBY CERTIFY that the lands hereunder described have been redeemed by.....under the provisions of *The City of Windsor Act, 1932*.

Description of Lands

.....
.....

Take notice that where land is redeemed by any person entitled to redeem the same other than the owner, such person has a lien upon the owner's interest therein for the amount paid to redeem said land.

Dated at Windsor this.....day of....., 19 ..

.....
Treasurer.

CHAPTER 96.

An Act respecting the Township of York.

Assented to March 29th, 1932.

Preamble.

WHEREAS the corporation of the township of York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Township of York Act, 1932.*

Separate roll for income assessment.

2.—(1) Notwithstanding the provisions of *The Assessment Act* and any assessments of income heretofore made thereunder the council of the corporation of the township of York may by by-law provide for taking the assessment of income for the purposes of taxation in the year 1932 and in every year thereafter separately from the time for taking the assessment of real property and for taking the same during such time of the year in which the rates of taxation thereon are to be levied as the by-law may provide.

Return of roll and appeals.

(2) Any such by-law shall provide for the time when the roll for such income assessments shall be returned, for the holding of a court of revision for hearing appeals from any assessment therein in manner provided by *The Assessment Act* upon the return of such assessment roll to the clerk. The time for appeal to the court of revision shall be within ten days after the last day fixed for the return of the said roll and the time for appealing from the court of revision to the county judge shall be within three days after the decision of the court of revision is given.

Rev. Stat., c. 238.

Revised assessment roll.

(3) The assessment of income so made and completed in any year, whether or not it is completed by the time provided by the by-law, shall upon its final revision be the assessment of income on which the rate of taxation upon income for such year shall be levied by the council and the assessment roll

thereof

thereof with the assessment roll of real property, business and other assessments made for the same year shall when both thereof are finally revised together form the last revised assessment roll of the whole rateable property within the municipality within the meaning and for the purposes of *The Municipal Act, The Assessment Act* and any other general or special Act. Rev. Stat., cc. 233, 238.

(4) The said council may provide that taxation upon income assessments may be made payable at times different from those at which other taxation is made payable. Times for payment of income tax.

3.—(1) Notwithstanding the provisions of *The Municipal Act* or of any other general or special Act the said council may by by-law passed in each year of the years 1932, 1933 and 1934, provide that the rate of taxation to be levied in such year on assessments of income shall be such rate as may be fixed by the said by-law. The said rate may vary from but shall not exceed the rate of taxation levied or to be levied in such year upon assessments of real property and shall not be less than thirty-five mills in the dollar. Rate of income tax.

(2) The amount of taxation levied on assessments of income in each year shall be deemed to be levied to meet the general expenses of the municipality including the amount required to be levied for county purposes and shall be applied for the said purposes. Income tax applicable for general purposes.

4. Sections 2 and 3 shall be read and construed as having effect on, from and after the 1st day of January, 1932. When ss. 2 and 3 become effective.

5.—(1) The council of the said corporation may by by-law passed with the consent of a majority of the whole number of members of the council before the 1st day of July in any year set apart the whole of the said township as a public school area and may declare that thereafter the public school sections included in the township shall cease to exist and that the public school boards having jurisdiction therein shall be dissolved. Creation of township school area.

(2) The by-law shall take effect from the 25th day of December in the year in which the same is passed but all school boards in such school sections shall remain in office until the school board has been elected and organized as hereinafter provided. After the said by-law has been passed the following subsections of this section shall apply. When school area by-law becomes effective.

(3) There shall be a board of public school trustees for the township of York which shall consist of seven members. Three of the members shall be elected from Ward One and two members shall be elected from each of Wards Two and Three. Township School Board.

Corporate
name.

(4) The board of public school trustees for the township of York shall be a corporation by the name of "York Township Public School Board" herein referred to as "the school board."

Dissolution
of section
school
boards.

(5) Upon the election and organization of the school board, the boards of public school trustees for every school section then in existence in the township of York shall be dissolved and all the property, real and personal vested in the board of any such school section shall be vested in and become the property of the school board.

Assumption
and payment
of school
liabilities.

(6) The school board shall be responsible for and shall discharge all liabilities and obligations of each of the said school sections of the township of York and the indebtedness of the board of any school section shall be provided for by a general rate levied upon all property liable to taxation for public school purposes in the township of York.

Election of
school board
by ballot.

(7) For the year following the year in which the by-law takes effect and in each year thereafter the members of the school board shall be elected by ballot. The nomination and election of members of the school board shall be held at the same time and place and by the same returning officer and conducted in the same manner as nearly as may be as nominations and elections for the municipal council and the provisions of *The Municipal Act* respecting the time and manner of holding the elections, the mode of receiving nominations for office, the resignation of persons nominated, or elected, vacancies, recounts and declarations of qualification of office shall, *mutatis mutandis*, apply to the elections.

Procedure as
to elections,
etc.

Rev. Stat.,
c. 233.

Ballot papers
and voting.

(8) The clerk of the municipality shall prepare one set of ballot papers for each of the polling subdivisions in the township containing the names of candidates for members of the school board for each ward, in the same form, *mutatis mutandis*, as those used for councillors and no ballot shall be delivered to any person who is entered on the voters' list as a separate school supporter, or by reason of being the wife or husband of a separate school supporter.

Qualification
for office.

(9) Every ratepayer who resides in the township and who is a British subject, and who is of the full age of twenty-one years, and is not a separate school supporter and who is not disqualified by *The Public Schools Act* or any other Act may be elected a member of the school board. Every person elected as a member of the school board shall hold office for the term of one year and until his successor is elected and takes office.

Rev. Stat.,
c. 323.

Qualification
of voters.

(10) Every person whose name appears upon the last revised voters' list as entitled to vote at municipal elections

shall

shall be entitled to vote at an election of members of the school board excepting persons who are assessed as supporters of separate schools and persons who are entered on such voters' list by reason of being the wife or husband of a person assessed as a supporter of separate schools.

(11) The school board shall hold its first meeting in each year on the second Wednesday in January at the hour of eight o'clock in the afternoon or at such other hour on the same day and at such place as may have been fixed by resolution of the school board of the preceding year, or, if no place has been so fixed, at the usual place of meeting of the municipal council.

Date of first meeting.

(12) Notwithstanding any of the provisions hereinbefore contained this section shall not apply to and no by-law passed under this section shall include therein any part of the township of York which at the time of the passing of such by-law forms part of a union school section, but upon dissolution of any such union school section in accordance with the provisions of *The Public Schools Act*, that part thereof within the said township shall thereupon become part of the public school area and thereafter the provisions of this section shall apply.

Exception of Union School section areas.

(13) The school board and the members thereof shall have, *mutatis mutandis*, the same powers and duties as are prescribed by *The Public Schools Act* for boards of trustees in urban municipalities and all the provisions of *The Public Schools Act* relating to urban school boards shall apply to the school board and to the schools under its jurisdiction, except where inconsistent herewith. The provisions of section 109 of *The Public Schools Act* shall not apply to the township of York.

Application of general law.
Rev. Stat., c. 323.

(14) A board of arbitrators to be appointed as hereinafter provided shall, subject to the provisions of subsection 15, value, adjust and determine in an equitable manner all rights and claims between the respective parts of the township comprising the several public school sections at the time of the formation of the public school area.

Arbitration on formation of school area.

(15) The council of the corporation shall levy annually for a period not exceeding three years such special rates against the lands assessable for public school purposes in the several public school sections as they existed immediately prior to the formation of the public school area as may be necessary to provide for the amounts of any adjustments to be made between any such school sections as the award of the arbitrators may have determined; provided however, that no award shall be made which will require the levy of an annual special rate against the lands in any such public school

Special rate to meet adjustments.

section exceeding five mills in the dollar on the last revised assessment of the property assessable for public school purposes in such public school section at the time of the making of the award.

Board of
arbitrators.

(16) The board of arbitrators shall be composed of two persons appointed by the council of the corporation and such one of the public school inspectors having jurisdiction in the township of York as may be named by the council. The board of arbitrators shall be appointed within three months after the passing of the by-law authorized by subsection 1 of this section and the decision of such arbitrators shall be made within three months of the time of their appointment and shall be final and conclusive and not open to appeal.

Basis of
Legislative
grants.

6.—(1) Legislative grants for the support of public and separate schools shall until the 31st day of December, 1937, be paid on the basis of the equalized assessment, less income assessment, of the said township for the year 1930.

(2) Subsection 1 shall apply until the 31st day of December, 1937, notwithstanding that a township school area has been set apart under section 5. The said legislative grants shall be paid as if the said township had continued to be divided into rural school sections.

Confirma-
tion of tax
sales and
conveyances.

7.—(1) All sales of land within the township of York made prior to the 31st day of December, 1930, which purport to have been made by the said corporation or by its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold, executed by the reeve and treasurer of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the lands so sold or conveyed or purporting to be sold or conveyed in the purchaser thereof or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

Pending
litigation not
affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

8.—(1) Notwithstanding the provisions of *The Assessment Act*, the council of the said corporation may pass a by-law to provide that the court of revision for the municipality shall thereafter consist of three members who shall be appointed by the council. Upon the passing of the said by-law the following subsections of this section shall apply.

Court of
revision.

(2) Upon the appointment of the first members of the court of revision the council shall designate one member to serve for one year, one member to serve for two years and one member to serve for three years, such term to be deemed to commence from the first day of the year in which such member is appointed. Each member appointed thereafter shall be appointed to serve for three years from the first day of the year in which he is appointed. Each member of the said court shall hold office for the term for which he was appointed and until his successor is appointed.

Term of
office.

(3) In case any member of the court of revision is unable to act through illness or absence from Ontario or any other cause the council may appoint another person to the court of revision in his place during such inability to act. Upon the death or resignation of any member the council shall immediately thereafter appoint a successor to complete the unexpired term.

Vacancies,
etc.

(4) Two members of the court of revision shall be a quorum and a majority of the members may decide all questions before the court but no member shall act when an appeal is being heard respecting any property in which he is directly or indirectly interested.

Quorum.

(5) Each member of the court of revision shall be paid such sum for his services as the council may by by-law or resolution determine.

Remunera-
tion.

(6) No member of the council and no officer or employee of the corporation shall be a member of the court of revision.

Dis-
qualification.

(7) All the provisions of *The Assessment Act* relating to a court of revision shall apply to the court of revision appointed under this section, except where inconsistent therewith.

Application
of Rev. Stat.,
c. 238.

9.—(1) The council of the said corporation may pass by-laws to consolidate an amount not exceeding \$200,000, of the floating debt of the corporation and to pay the amount so consolidated may raise and levy in each year on the whole rateable property within the municipality during a period not exceeding five years by special rates over, and above all other rates, a sum sufficient to pay the consolidated floating debt

By-law to
consolidate
part of float-
ing debt and
to raise and
levy special
rate.

in such equal or unequal annual instalments and the interest thereon, or on the unpaid balance thereof, as may be included in the yearly estimates as provided in subsection 2.

Duty of council.

(2) If the said corporation proceeds under subsection 1 it shall be the duty of the council in each year commencing with the year 1933 and in every year until the said consolidated floating debt is paid, to include in the estimates for the year a sum not less than one-fifth of the amount of the said consolidated floating debt with yearly interest thereon or on the unpaid balance thereof, and to levy a special rate sufficient to produce and pay the amount so included in the estimates.

Application of proceeds of special rate.

(3) All moneys arising by reason of the levy of any such special rate shall be applied only in payment of the said consolidated floating debt and interest thereon.

Agreements as to payment of floating debt.

(4) The council of the said corporation may, from time to time, pass by-laws to authorize agreements and may enter into the same with the bankers of the corporation, as may be necessary for the financing and payment of the said consolidated floating debt by instalments and for interest thereon in the manner provided in this section and for the giving of promissory notes or other evidences of obligation in respect of the said debt and interest.

Neglect of council to comply with provisions of this section.

(5) If the corporation proceeds under this section and the council neglects, in any year, to levy the amount required to be raised under this section or under any agreement entered into thereunder, each member of the council shall be disqualified from holding any municipal office for two years, unless he shows that he made reasonable efforts to procure the levying of such amount.

Mis-application of proceeds.

(6) If the council applies any money raised under this section otherwise than as provided in subsection 3, the members who vote for such application shall be personally liable for the amount so applied, which may be recovered in any court of competent jurisdiction, and shall also be disqualified from holding any municipal office for two years.

Approval of Municipal Board to issue of debentures.

(7) The said corporation shall not until the said consolidated floating debt has been fully paid pass any by-laws authorizing the issue of debentures or issue any debentures, other than those authorized by this Act, unless the approval of the Ontario Municipal Board has first been obtained.

By-law No. 11154, confirmed.

10.—(1) By-law number 11,154 passed by the council of the said corporation on the 15th day of February, 1932, prohibiting the erection of buildings other than detached private dwelling houses and duplex houses in defined areas

in the district known as Cedarvale is hereby ratified and confirmed and declared to be legal, valid and binding.

(2) Notwithstanding the confirmation of the said by-law the council by a vote of two-thirds of all the members thereof may, with the approval of the Ontario Municipal Board repeal, amend or vary the said by-law. Amendment of by-law.

11.—(1) Section 3 of chapter 139 of the Statutes of Ontario, 1922, c. 139, 1922, being *An Act respecting the Township of York*, as amended by section 4 of *The Township of York Act, 1924*, chaptered 140, and as further amended by section 6 of *The Township of York Act, 1925*, chaptered 121, and as again amended by section 7 of *The Township of York Act, 1926*, chaptered 108, and as again amended by section 2 of *The Township of York Act, 1927*, chaptered 136, is further amended by adding thereto the following subsection: s. 3, amended.

(8) It shall not be necessary or be deemed to have been necessary that the assent of the electors qualified to vote on money by-laws be obtained with respect to any by-law heretofore or hereafter passed under this section. Assent of electors not requisite.

12.—(1) By-law number 11,169 of the said corporation providing for the annual salaries of the members of the council is hereby ratified and confirmed and declared to be legal, valid and binding. Annual salaries of members of council.

(2) The council of the said corporation, by a vote of two-thirds of all the members thereof, may from time to time amend the said by-law subject to the approval of the Ontario Municipal Board, and any such amending by-law when so approved shall be legal, valid and binding.

13. The council of the said corporation may pass by-laws to authorize the issue of debentures to pay for works undertaken by the corporation under the authority of any by-law heretofore passed and under the authority of section 10 of *The Township of York Act, 1931*, in respect of which debentures have not yet been issued, and every such by-law and every debenture issued under the authority thereof shall be legal, valid and binding upon the said corporation and the rate-payers thereof and upon the property liable for any rate imposed by or under the authority of the by-law, notwithstanding any invalidity or irregularity in such by-law or the proceedings relating thereto, and the validity of the by-law and of every debenture issued thereunder may not be contested or questioned for any cause whatsoever, nor shall it be

necessary for any purpose that to its validity, the judgment or opinion of any court or person be requisite or obtained, and every such debenture when issued shall according to the tenor thereof be a valid obligation of the said corporation.

Imposition
of rates in
North York
under By-
law No.
11153.

14. The rates required by by-law number 11,153 of the said corporation to be levied and collected in any year upon land in the township of North York shall be collected by the council of the corporation of the township of North York in like manner as if such rates had been imposed by that council and the corporation of the township of North York shall, upon demand therefor at any time after the 14th day of December in each year, pay to the corporation of the township of York the respective amounts which are required to be collected as aforesaid, in that year, and such payment shall be made whether or not such respective amounts have been collected from the persons liable to pay them. Such payment shall not relieve any land specially assessed from the special rate thereon, but it shall remain liable for the special rate until it is paid.

Commence-
ment of Act.

15. This Act, other than section 7, shall come into force on the day upon which it receives the Royal Assent. Section 7 shall come into force on the 1st day of July, 1932.

CHAPTER 97.

An Act respecting the Essex Border Utilities
Commission.*Assented to March 29th, 1932.* Preamble.

WHEREAS the Essex Border Utilities Commission has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the payer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Essex Border Utilities Commission Act, 1932.* Short title.

2. The agreement set out in schedule "A" hereto between the Essex Border Utilities Commission and the corporation of the city of Windsor and the Canadian Bank of Commerce is confirmed and declared to be legal, valid and binding upon the parties thereto. Confirmation of Windsor agreement.

3. The agreement set out in schedule "B" hereto between the Essex Border Utilities Commission and the corporation of the town of Walkerville and the Canadian Bank of Commerce is confirmed and declared to be legal, valid and binding upon the parties thereto. Confirmation of Walkerville agreement.

4. Clause *b* of subsection 6 of section 3 of *The Consolidated Essex Border Utilities Act, 1929*, is repealed and the following substituted therefor: 1929, c. 98, s. 3, subs. 6, repealed.

- (b) A majority of the commissioners shall constitute a quorum and the votes of a majority of such quorum shall bind the commission but where any of the Essex Border municipalities is in default in its payments to the commission the votes of its representatives in favour of the expenditure of any capital sum or the incurring of capital indebtedness shall not be counted. Quorum and voting power.

5. Section 7 of *The Consolidated Essex Border Utilities Act, 1929* is amended by adding thereto the following clauses: 1929, c. 98, s. 7, amended.

(b)

Prior lien
for certain
charges.

- (b) The sum stated in any application as payable by any of the said corporations to pay the debenture debt and operating and maintenance cost of the trunk sewers and waterworks of the commission shall be a lien and charge upon the current general funds and revenues of such corporation and shall be paid therefrom in priority to other claims on such funds and revenues.

Municipal
Board may
order further
lien.

- (c) The Ontario Municipal Board may upon application of the commission direct that any sum stated in any application as payable by any of the said corporations to pay the debenture debt and operating and maintenance cost of any of the undertakings and services, other than those mentioned in clause *b*, of the commission and to pay the general administration cost incurred by the commission shall be a lien and charge upon the current general funds and revenues of such corporation and shall be paid therefrom in priority to other claims on such funds and revenues.

County and
school rates
not affected.

- (d) Nothing in clauses *b* and *c* contained shall in any way affect the rights of the county of Essex or of any school board with respect to rates imposed or levied for county or school purposes or constitute any charge or lien upon such rates.

1929, c. 98,
s. 9,
amended.

6. The first paragraph of section 9 of *The Consolidated Essex Border Utilities Act, 1929*, is amended by adding at the end thereof the words "and shall at the next annual levy, impose a special rate over and above all other rates sufficient to produce the sum set out in such application."

1929, c. 98,
s. 10, subs. 7,
amended.

7. Subsection 7 of section 10 of *The Consolidated Essex Border Utilities Act, 1929*, is amended by adding thereto the following clause:

Temporary
loans.

- (a) The commission may by by-law authorize the chairman and treasurer to borrow from any chartered bank or other person upon the security of unpaid requisitions and may for such purpose enter into an agreement pledging and charging its assets for the repayment thereof.

1929, c. 98,
s. 21,
amended.

8. Section 21 of *The Consolidated Essex Border Utilities Act, 1929*, is amended by adding at the end thereof the words, "and there shall at the next annual levy, be imposed a special rate over and above all other rates sufficient to produce the sum set out in such application."

9. Section 29 of *The Consolidated Essex Border Utilities Act*, 1929, c. 98, s. 29, 1929, is amended by adding thereto the following subsections: amended.

(3) Nothing in this Act shall be construed or deemed to authorize the commission to exercise any of its powers for gain or profit. Commission not to operate for profit.

(4) The works, undertakings and assets of the commission shall not be exigible under a writ of execution issued out of any court except by leave of the Ontario Municipal Board and the fact that a liquidator or receiver has been appointed by or is managing or operating any of the said works or undertakings under the authority of any court shall not prevent the exercise by the Municipal Board of any jurisdiction conferred by this or any other general or special Act; but every such liquidator and receiver shall be bound to manage and operate such work or undertaking in accordance with the provisions of this Act and with the orders and directions of the Board; and such liquidator or receiver and every person acting under him shall obey all orders of the Board in respect of such work or undertaking and be subject to have them enforced against him by the Board notwithstanding that such liquidator or receiver is appointed by or acts under the authority of any court. Protection of assets against seizure

10. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-
me (1) 2. c

SCHEDULE "A"

Agreement made this first day of February, A.D. 1932.

BETWEEN:

THE CORPORATION OF THE CITY OF WINDSOR, hereinafter
called the Party,

of the first part,

—and—

THE ESSEX BORDER UTILITIES COMMISSION, hereinafter
called the Party,

of the second part,

—and—

THE CANADIAN BANK OF COMMERCE, hereinafter called
the Party,

of the third part.

Whereas there becomes due and payable on this day the sum of \$18,443.75 from the Township of Sandwich West and the sum of \$4,023.75 from the Town of Riverside, being part of principal and interest of certain debentures issued by the said Commission and the said Township of Sandwich West and Town of Riverside are unable to meet the same and the credit of the party of the First Part might be affected by such default and the Canadian Bank of Commerce has agreed to advance the said sums on the account of the said Commission.

Now therefore in consideration of the premises the party of the First Part does hereby guarantee to the party of the Third Part the payment of four-fifths of the said amounts of \$4,023.75 and \$18,443.75, namely, the sum of \$17,974.00 and interest thereon until payment.

This guarantee shall be irrevocable and the party of the Third Part may until written notice is received without affecting this guarantee postpone from time to time legal proceedings to recover the said sums or any part thereof or give time for payment thereof.

The party of the Second Part hereto assents thereto.

In witness whereof the parties hereto have hereunto set their hands and seals.

SIGNED, SEALED AND DELIVERED

in the presence of:

SCHEDULE "B"

Agreement made this first day of February, A.D. 1932.

BETWEEN:

THE CORPORATION OF THE TOWN OF WALKERVILLE,
hereinafter called the Party,

of the first part;

—and—

THE ESSEX BORDER UTILITIES COMMISSION, hereinafter
called the Party,

of the second part;

—and—

THE CANADIAN BANK OF COMMERCE, hereinafter called
the Party,

of the third part.

Whereas there becomes due and payable on this day the sum of \$18,443.75 from the Township of Sandwich West and the sum of \$4,023.75 from the Town of Riverside, being part of principal and interest of certain debentures issued by the said Commission and the said Township of Sandwich West and Town of Riverside are unable to meet the same and the credit of the party of the First Part might be affected by such default and the Canadian Bank of Commerce has agreed to advance the said sums on the account of the said Commission.

Now therefore in consideration of the premises the party of the First Part does hereby guarantee to the party of the Third Part the payment of one-fifth of the said amounts of \$4,023.75 and \$18,443.75, namely, the sum of \$4,493.50 and interest thereon until payment.

This guarantee shall be irrevocable and the party of the Third Part may until written notice is received without affecting this guarantee postpone from time to time legal proceedings to recover the said sums or any part thereof or give time for payment thereof.

The party of the Second Part hereto assents thereto.

In witness whereof the parties hereto have hereunto set their hands and seals.

SIGNED, SEALED AND DELIVERED

in the presence of:

CHAPTER 98.

An Act respecting the Walkerville-East Windsor Water Commission.

Assented to March 29th, 1932.

Preamble

WHEREAS The Walkerville-East Windsor Water Commission has, by its petition, prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Walkerville-East Windsor Water Commission Act, 1932*.

1930,
c. 107, s. 13,
repealed.

2. Section 13 of *The Walkerville-East Windsor Water Commission Act, 1930*, is repealed and the following substituted therefor:

Water
frontage
rate for
debenture
purposes.

13.—(1) For the purposes of assisting in the payment of the principal or interest of debentures for waterworks purposes issued or assumed by the commission under the authority of this Act, the commission shall impose in Walkerville and East Windsor an equal annual special rate not exceeding eleven cents per foot of frontage upon all land fronting or abutting upon any highway, lane or other public communication in, through or along which waterworks mains are laid as well as all other land distant not more than three hundred feet therefrom, whether or not the owners or occupants thereof use the water, and the said special rate shall be a lien upon the said land in the same manner and to the same extent as taxes upon land are a lien thereon under the provisions of *The Assessment Act*.

Rev. Stat.
c. 238.

Collection
of rate by
municipalities.

(2) The commission shall, not later than the 1st day of April, 1932, and not later than the 1st day of March

in each subsequent year, furnish to the clerks of Walkerville and East Windsor a statement setting forth the special rate imposed for the current year which the commission requires the municipality to collect as part of and with the rates of taxation imposed by the municipality and a sufficient general description of the lands, or such of the lands in the municipality charged therewith and, upon receipt of such statement, the clerk shall calculate and set down in the collector's roll of the municipality for the current year opposite each description of real property included in the said statement in a column therein to be headed "Water Frontage Rate" the amount with which the property and the person assessed therefor are chargeable according to the said rate; such statement may set forth also a description of any lands in the municipality charged with the said special rate for any previous year or years but not included in the statement furnished for such year or years and the amount of arrears due in respect thereof for such year or years, and the clerk shall set down in the collector's roll the amount of such arrears which shall be part of the taxes due to and shall be collected by the municipality in the same manner as the current rates included in such statement.

- (3) The amount set down in the collector's roll as aforesaid shall form part of the taxes due to the municipality and shall be collected by it and shall be a lien upon the lands upon which the same is imposed and the provisions of *The Assessment Act* as to the imposition, priority, collection and recovery of taxes due upon land shall apply thereto. Rate collectible as taxes.
Rev. Stat. c. 238.
- (4) The treasurers of Walkerville and East Windsor shall, within ten days after each date fixed by the councils thereof respectively for the payment of taxes in each year, pay to the commission the total amount received by the municipality in respect of such rate on or prior to the said date and the said treasurers shall pay to the commission the amount received in respect of the said rate during each succeeding month thereafter not later than the tenth day of the following month. Payment of rate by collected.
- (5) The commission may in any year include in the said statement all land in Walkerville or East Windsor chargeable with the said rate or such part of said land as the commission may decide; and the rate Collection of rate by Commission

in respect of land not so included shall be charged by the commission directly against the owner or occupier thereof and any other person liable to pay water rates with respect thereto in addition to all other rates charged by the commission against the same land; provided that the commission shall have the right to charge the owner or occupier of lands included in the said statement with the amount charged against such land as a debt due directly to the commission, notwithstanding that the amount payable with respect thereto is included in the taxes due to the municipality.

Reduction
of rate in
certain
cases.

- (6) The commission may reduce the amount with which any land is chargeable by reason of such land fronting or abutting upon more than one street or by reason of such land having a triangular or irregular shape or being unfit for building thereon.

Credit for
rate paid.

- (7) Upon the production of the receipt for the payment of the said water frontage rate to either the commission or the municipality in which the lands charged are situate, the other of them shall refund, remit or allow to such owner or occupant the amount so paid as a payment of or on account of such frontage rate.

1930, c. 107,
amended.

3. *The Walkerville-East Windsor Water Commission Act, 1930*, is amended by adding thereto the following sections:

Commission
may assume
cost of water
purchased.

- 14a. The commission may agree with Walkerville and East Windsor without the assent of the electors of either municipality for the assumption and payment by the commission of the annual sums payable from time to time by Walkerville and East Windsor pursuant to *The Consolidated Essex Border Utilities Act, 1929*, in respect of the construction of the filtration plant which supplies water to the system and any future extension thereto for such time and upon such other terms as the parties may agree.

Source of
water
supply.

- 14b. The commission shall take from the Essex Border Utilities Commission the supply of water required by it and shall pay therefor upon the same terms as a municipality which obtains its water supply in the same manner.

Commence-
ment of Act.

- 4.** This Act shall come into force on the day upon which it receives the Royal Assent and shall have effect as from the first day of January, 1932.

CHAPTER 99.

An Act respecting the Windsor, Essex and Lake
Shore Electric Railway Association.*Assented to March 29th, 1932.*

WHEREAS the Windsor, Essex and Lake Shore Electric Railway Association has by its petition prayed for special legislation in respect of certain matters affecting the Association and the municipalities which it represents; and whereas it is expedient to grant the prayer of the said petition;

Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Windsor, Essex and Lake Shore Rapid Railway Act, 1932.*

Short title.

2. The Windsor, Essex and Lake Shore Electric Railway Association is hereby declared to be a municipality within the meaning of *The Ontario Municipal Board Act, 1932*, and the provisions thereof shall extend and apply to the said Association, in the same manner and to the same extent, *mutatis mutandis*, as such provisions may apply to a municipality.

Municipal Board Act, 1932 to apply to the Association.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-ment of Act.

CHAPTER 100.

An Act respecting Ontario Shore Gas Company,
Limited.*Assented to March 29th, 1932.*

Preamble.

WHEREAS Ontario Shore Gas Company, Limited (hereinafter called "the Company"), has by its petition represented that by-laws of the corporations of the cities of Oshawa and Belleville, the towns of Whitby, Bowmanville and Trenton, and the townships of East Whitby and Thurlow, authorizing franchises for the supply of gas in the said municipalities were duly passed by the said corporations after having received the assent of the electors of each of them respectively, and that by-laws of the corporations of the townships of Whitby, Darlington and Sidney were duly passed by the said corporations granting franchises to supply and distribute gas in parts of the said townships, and that the agreement authorized by each of the said respective by-laws has been duly entered into and that all of the said agreements have been assigned to and are now held by the company, and that the company has executed and delivered to each of the said corporations an agreement and undertaking to assume and to be bound by all the terms and conditions of each of the said agreements; and the company with the concurrence of each of the said corporations has by its petition prayed that all of the said by-laws and agreements should be confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Ontario Shore Gas Company Franchises Act, 1932.*

Franchise
by-laws and
agreements,
confirmed.

2. The by-laws of the corporations of the cities of Oshawa and Belleville, the towns of Whitby, Bowmanville and Trenton and the townships of East Whitby, Thurlow, Whitby, Darlington and Sidney, respectively, authorizing agreements granting franchises for the supply of gas in the said respective municipalities or parts thereof, and the several agreements entered

into

into pursuant to the said respective by-laws, all of which said by-laws and agreements are referred to in schedule "A" hereto, are and each of them is hereby ratified and confirmed, and declared to be legal, valid and binding upon the said corporations, and the ratepayers thereof, respectively, and upon the company, its successors and assigns.

3. The said respective corporations and the company are and each of them is hereby authorized and empowered to do all acts and things and to execute all documents necessary or convenient for fulfilling and carrying out the said by-laws and agreements.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-
ment of Act.

SCHEDULE "A"

CITY OF OSHAWA

By-law No. 2063, of the Corporation of the City of Oshawa, passed on the 7th day of April, 1931, being a by-law entitled, "A by-law to authorize the granting of a franchise for the supply of gas in the City of Oshawa," and registered in the Registry Office for the Registry Division of the County of Ontario on the 14th day of May, 1931, in Book 543 for the City of Oshawa, as No. 36720.

Agreement dated the 25th day of February, 1931, between the Corporation of the City of Oshawa and Ben E. Tate, authorized by and referred to in said By-law No. 2063 as Schedule "A" thereto, and registered in the said Registry Office with said by-law, as aforesaid.

CITY OF BELLEVILLE

By-law No. 3038, of the Corporation of the City of Belleville passed on the 17th day of August, 1931, being a by-law entitled "A by-law to authorize the granting of a franchise for the supply of gas in the City of Belleville," and registered in the Registry Office for the Registry Division of the County of Hastings on the 18th day of September, 1931, in Book "D" for the City of Belleville, as No. 573.

Agreement dated the 6th day of July, 1931, between the Corporation of the City of Belleville and Eugene C. Lang authorized by and referred to in said By-law No. 3038, as Schedule "A" thereto, and registered in the said Registry Office for the Registry Division of the County of Hastings on the 18th day of September, 1931, in Book "D" for the City of Belleville as No. D. 575.

TOWN OF WHITBY

By-law No. 1393, of the Corporation of the Town of Whitby, passed on the 1st day of June, 1931, being a by-law entitled "A by-law to authorize the granting of a franchise for the supply of gas in the Town of Whitby," and registered in the Registry Office for the Registry Division of the County of Ontario on the 7th day of August, 1931, in Book "A" for by-laws, as No. 416.

Agreement dated the 20th day of April, 1931, between the Corporation of the Town of Whitby and Ben E. Tate authorized by and referred to in said By-law No. 1393 as Schedule "A" thereto, and registered in the said Registry Office with said by-law as aforesaid.

TOWN

TOWN OF BOWMANVILLE

By-law No. 1241, of the Corporation of the Town of Bowmanville passed on the 1st day of June, 1931, being a by-law entitled, "A by-law to authorize the granting of a franchise for the supply of gas in the Town of Bowmanville", registered in the Registry Office for the Registry Division of the West Riding of the County of Durham on the 7th day of August, 1931, in Book 1 for by-laws as No. 79.

Agreement dated the 13th day of April, 1931, between the Corporation of the Town of Bowmanville and Ben E. Tate, authorized by and referred to in said By-law No. 79, as Schedule "A" thereto, and registered in the said Registry Office with the said by-law as aforesaid.

TOWN OF TRENTON

By-law No. 1618, of the Corporation of the Town of Trenton, passed on the 30th day of September, 1931, being a by-law entitled "A by-law to authorize the granting of a franchise for the supply of gas in the Town of Trenton," registered in the Registry Office for the Registry Division of the County of Hastings on the 10th day of October, 1931, in Book "A" for municipal by-laws as No. 113.

Agreement dated the 17th day of August, 1931, between the Corporation of the Town of Trenton and Eugene C. Lang, authorized by and referred to in said By-law No. 1618, as Schedule "A" thereto, and registered in the said Registry Office with said by-law as aforesaid.

TOWNSHIP OF EAST WHITBY

By-law No. 1105, of the Corporation of the Township of East Whitby, passed on the 17th day of November, 1931, being a by-law entitled "A by-law to authorize the granting of a franchise for the supply of gas in the Township of East Whitby," and registered in the Registry Office for the Registry Division of the County of Ontario on the 2nd day of December, 1931, in Book "A" for by-laws as No. 418.

Agreement dated the 7th day of October, 1931, between the Corporation of the Township of East Whitby and Ben E. Tate, authorized by and referred to in said By-law No. 1105, as Schedule "A" thereto, and registered in the said Registry Office with said by-law as aforesaid.

TOWNSHIP OF THURLOW

By-law No. 850, of the Corporation of the Township of Thurlow, passed on the 15th day of December, 1931, being a by-law entitled "A by-law to authorize the granting of a franchise for the supply of gas in the Township of Thurlow, and registered in the Registry Office for the Registry Division of the County of Hastings on the 17th day of December, 1931, in Book "A" for road by-laws as No. 115.

Agreement dated the 26th day of October, 1931, between the Corporation of the Township of Thurlow and Eugene C. Lang, authorized by and referred to in said By-law No. 850, as Schedule "A" thereto, and registered in the said Registry Office with said by-law as aforesaid.

TOWNSHIP OF WHITBY

By-law No. 1235, of the Corporation of the Township of Whitby, passed on the 6th day of October, 1931, being a by-law entitled "A by-law to authorize granting the right of passing through the township with a gas transmission pipeline and of supplying gas to persons whose lands lie within certain limits," and registered in the Registry Office for the Registry Division of the County of Ontario on the 17th day of November, 1931, in Book "A" for by-laws, as No. 417.

Agreement dated the 6th day of October, 1931, between the Corporation of the Township of Whitby and Ben E. Tate, authorized by and

referred

referred to in said By-law No. 1235, as Schedule "A" thereto, and registered in the said Registry Office with said by-law as aforesaid.

TOWNSHIP OF DARLINGTON

By-law No. 973, of the Corporation of the Township of Darlington, passed on the 7th day of October, 1931, being a by-law entitled "A by-law to authorize granting the right of passing through the Township with a gas transmission pipeline and of supplying gas to persons whose lands lie within certain limits," and registered in the Registry Office for the Registry Division of the West Riding of the County of Durham on the 12th day of November, 1931, in Book 1 for by-laws, as No. 80.

Agreement dated the 7th day of October, 1931, between the Corporation of the Township of Darlington and Ben E. Tate, authorized by and referred to in said By-law No. 973, as Schedule "A" thereto, and registered in the said Registry Office with the said by-law as aforesaid.

TOWNSHIP OF SIDNEY

By-law No. 955, of the Corporation of the Township of Sidney, passed on the 19th day of October, 1931, being a by-law entitled "A by-law to authorize granting the right of passing through the Township with a gas transmission pipeline and of supplying gas to persons whose lands lie within certain limits," and registered in the Registry Office for the Registry Division of the County of Hastings on the 31st day of October, 1931, in Book "A" for road by-laws as No. 114.

Agreement dated the 19th day of October, 1931, between the Corporation of the Township of Sidney and Eugene C. Lang authorized by and referred to in said By-law No. 955, as Schedule "A" thereto, and registered in the said Registry Office with said by-law as aforesaid.

CHAPTER 101.

An Act to validate agreements made between Sarnia Bus Co., Limited, and the Corporation of the City of Sarnia and the Corporation of the Village of Point Edward.

Assented to March 29th, 1932.

Preamble

WHEREAS the corporations of the city of Sarnia and of the village of Point Edward and Sarnia Bus Co., Limited, have by their petitions represented that Sarnia Bus Co., Limited, is operating a passenger transportation system in and about the said city and village under the terms of certain franchise agreements entered into with the assent of the electors of the said city and village, respectively, and that it is desirable and in the interests of the said corporations and of the said Sarnia Bus Co., Limited, such agreements be validated and confirmed and that the said corporations should be empowered to pass such by-laws, to enter into such agreements and to do all such other matters and things as may be deemed necessary by the said corporations for the full and proper carrying out of the provisions of the said agreements, and the said corporations and the Sarnia Bus Co., Limited, have by their petition prayed that an Act may be passed for such purpose, and in respect of the other matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The Sarnia and Point Edward Bus Franchise Act, 1932.*

Bus
franchise
agreement
confirmed.

2.—(1) Subject to the provisions of subsection 3, the agreement dated the 22nd day of June, 1931, and made between the Sarnia Bus Co., Limited, and the corporation of the city of Sarnia, and the agreement dated the 15th day of June, 1931, made between the Sarnia Bus Co., Limited, and the corporation of the village of Point Edward, granting to the said company an exclusive franchise for the operation

of a passenger transportation system in the said city and village upon and subject to the terms and conditions set forth in the said respective agreements, are and each of them is hereby confirmed and declared legal, valid and binding upon the parties thereto and their successors and assigns of them respectively; and each of the said corporations is hereby authorized and empowered to pass such by-laws, to enter into such other agreements, and to do such other matters and things as may be deemed necessary by the said corporations or either of them, for the full and proper carrying out of the provisions of the said agreements.

(2) Notwithstanding anything in any general Act contained, the council of the corporation of the said city in lieu and instead of The Board of Commissioners of Police for the said city shall have the power to pass such by-laws licensing and regulating buses and other vehicles as may be necessary to fully carry out any and all of the terms of the said agreement. Licensing and regulating buses.

(3) Notwithstanding anything to the contrary contained therein, the said agreements and each of them shall be limited to providing and operating a passenger transportation system within the limits of the city of Sarnia and village of Point Edward and between the same respectively, and shall not be construed as affecting or limiting the powers conferred on the Department of Highways by *The Public Vehicle Act*. Limitation of agreements. Rev. stat., c. 252.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 102.

An Act respecting the Roman Catholic Episcopal Corporation of the Diocese of Kingston, in Canada.

Assented to March 29th, 1932.

Preamble.

WHEREAS the Roman Catholic Episcopal Corporation of the Diocese of Kingston, in Canada, has by its petition represented that it was incorporated by an Act passed in the eighth year of the reign of Her late Majesty Queen Victoria, chaptered 82, entitled *An Act to Incorporate The Roman Catholic Bishops of Toronto and Kingston, in Canada, in each Diocese*, and that by an Act passed in the forty-fifth year of the reign of Her late Majesty Queen Victoria, chaptered 66, and by an Act passed in the forty-seventh year of the reign of Her late Majesty Queen Victoria, chaptered 92, and by an Act passed in the fifty-ninth year of the reign of Her late Majesty Queen Victoria, chaptered 115, certain further powers were conferred on the said corporation; and whereas doubts have arisen as to the power of the said corporation to borrow money on the credit of the corporation and to sign, draw, endorse, make and issue promissory notes, bills of exchange, guarantees, bonds, debentures and obligations, and to mortgage, charge, hypothecate and pledge the real and personal property of the corporation; and whereas the said corporation has prayed that the said Acts may be amended so as to remove said doubts; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Roman Catholic Episcopal Corporation (Diocese of Kingston) Act, 1932*.

Borrowing power.

2. The Roman Catholic Episcopal Corporation of the Diocese of Kingston, in Canada, may borrow money on the credit of the corporation in such amounts, on such terms and from such persons, firms or corporations, including chartered banks, as may be determined by the corporation.

3. The said corporation may make, draw and endorse promissory notes or bills of exchange. Promissory notes, etc.

4. The said corporation may guarantee, with or without security, upon such terms as it may determine any debts of, the performance of any obligations of, and the repayment of any advances made to, or for the purposes of any Roman Catholic corporation, organization, association or society engaged in activities in or partly in the diocese of Kingston or any officers thereof or any pastor of a parish in the said diocese, and notwithstanding that any such corporation, organization, association or society may not have power to borrow money, any such guarantee shall be valid and binding upon the said corporation in the same way as if such corporation, organization, association or society had power to borrow money. Guaranty of obligations of others.

5. The said corporation may hypothecate, pledge or charge any or all the personal property of the corporation to secure any money so borrowed or the fulfilment of any guarantee entered into by it or the fulfilment of the obligation incurred by it under any promissory note or bill of exchange, signed, made, or drawn or endorsed by it. Security for borrowing of moneys or of guarantees.

6. The said corporation may issue bonds, debentures and obligations on such terms and conditions as the corporation may decide and may pledge or sell such bonds, debentures and obligations for such sums and at such prices as the corporation may decide, and may mortgage, charge, hypothecate or pledge all or any part of the real or personal property of the corporation to secure any such bonds, debentures and obligations. Issue of bonds, etc.

7. Notwithstanding any of the provisions of any of the above-recited Acts, every such promissory note, bill of exchange, guarantee, instrument of hypothecation, charge or pledge of personal property, bond, debenture and obligation made, drawn, signed or endorsed by the bishop, archbishop, coadjutor or administrator of the said diocese on behalf of the corporation under the corporate seal of the corporation shall be legal, valid and binding upon the corporation, and the execution of any guarantee in the manner aforesaid shall be conclusive evidence that such guarantee is valid and binding upon the corporation. Execution of notes, Securities, etc.

8. Notwithstanding any of the provisions of this or any of the above-recited Acts, in case the bishop or archbishop for the time being of the said diocese of Kingston shall from sickness, infirmity or any other cause, become incapable or be incapacitated to perform, or be otherwise prevented from performing his duties in the said diocese, or in case of his absence from the said diocese, the coadjutor of the said diocese, or if there is no coadjutor, any vicar-general of the said diocese, or in the case of the vacancy of the see, the administrator of the said diocese, shall during such Powers of Coadjutor or administrator.

such sickness, infirmity, incapacity, prevention, absence from the said diocese or vacancy of the see, have the same powers as are by this Act conferred upon the said corporation or the said bishop or archbishop.

Execution of documents

9. Any document signed and executed on behalf of the said corporation and bishop or archbishop as aforesaid, or by the said coadjutor and any vicar-general of the said diocese and one additional clergyman of the said diocese to be selected or named by the said coadjutor for the time being, or, in case there shall happen to be no coadjutor, by two vicars-general of the said diocese, if there is more than one vicar-general, and one additional clergyman to be selected or named by the said vicars-general for the time being, or, in case there is only one vicar-general, by the said vicar-general and two clergymen of the said diocese to be selected or named by the said vicar-general, or, in the case of the vacancy of the see, by the administrator of the said diocese and two clergymen to be selected or named by the said administrator for the time being, shall be valid and binding upon the said corporation, if signed, sealed and executed in the presence of two credible witnesses.

Existing borrowings confirmed.

10. It is hereby declared that the said corporation shall be bound for payment of all moneys heretofore borrowed by and in the name of the corporation and shall be liable on all guarantees heretofore entered into by and in the name of the corporation, notwithstanding that the corporation may not have had power to borrow such moneys or to enter into such guarantees, if such borrowing or such guarantees would have been valid if done or entered into after this Act had come into force.

Lender not obliged to see to application of moneys.

11. The persons, firms or corporations, including chartered banks, from whom any moneys may be borrowed by the corporation shall not be obliged to see to the application of the said money or any part thereof.

Construction with prior Acts.

12. This Act shall be read with the Act passed in the eighth year of the reign of Her late Majesty Queen Victoria, chaptered 82, the Act passed in the forty-fifth year of the reign of Her late Majesty Queen Victoria, chaptered 66, the Act passed in the forty-seventh year of the reign of Her late Majesty Queen Victoria, chaptered 92, and the Act passed in the fifty-ninth year of the reign of Her late Majesty Queen Victoria, chaptered 115, and the powers by this Act conferred shall be deemed to be in addition to the powers conferred upon the said corporation by the said Acts and in the case of conflict between the provisions of this Act and the provisions of any of the said Acts, the provisions of this Act shall govern.

Commencement of Act.

13. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 103.

An Act respecting the Roman Catholic Episcopal Corporation of Ottawa.

Assented to March 29th, 1932.

WHEREAS the Roman Catholic Episcopal Corporation of Ottawa has by its petition represented that it was incorporated by an Act of the Legislature of the late Province of Canada, passed in the 12th year of the reign of Her late Majesty Queen Victoria, chaptered 136, entitled *An Act relating to the Roman Catholic Diocese of Ottawa*; and that by an Act of the late Province of Canada, passed in the 24th year of the reign of Her late Majesty Queen Victoria, chaptered 128, and by an Act of the Legislature of the Province of Ontario, passed in the 46th year of the reign of Her late Majesty Queen Victoria, chaptered 64, certain powers were conferred on the said corporation; and whereas doubts have arisen as to the power of the said corporation to borrow money on the credit of the corporation and to sign, draw, endorse, make and issue promissory notes, bills of exchange, guarantees, bonds, debentures and obligations, and to mortgage, charge, hypothecate and pledge the real and personal property of the corporation; and whereas the said corporation has prayed that the said Acts may be amended so as to remove said doubts; and whereas it is expedient to grant the prayer of the said petition;

Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Roman Catholic Episcopal Corporation of Ottawa Act, 1932*. Short title.

2. The Roman Catholic Episcopal Corporation of Ottawa may borrow money on the credit of the corporation in such amounts, on such terms, and from such persons, firms or corporations, including chartered banks, as may be determined by the corporation. Borrowing power.

Promissory
notes, etc.

3. The said corporation may make, draw and endorse promissory notes or bills of exchange.

Guaranty of
obligations
of others.

4. The said corporation may guarantee, with or without security, upon such terms as it may determine any debts of, the performance of any obligations of, and the repayment of any advances made to, or for the purposes of any Roman Catholic corporation, organization, association or society engaged in activities in or partly in the diocese of Ottawa or any officers thereof or any pastor of a parish in the diocese of Ottawa, and notwithstanding that any such corporation, organization, association, or society may not have power to borrow money, any such guarantee shall be valid and binding upon the said corporation in the same way as if such corporation, organization, association or society had power to borrow money.

Security for
moneys
borrowed
or for
guarantees.

5. The said corporation may hypothecate, pledge or charge any or all the personal property of the corporation to secure any money so borrowed or the fulfilment of any guarantee entered into by it or the fulfilment of the obligation incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it.

Issue of
bonds, etc.

6. The said corporation may issue bonds, debentures and obligations on such terms and conditions as the corporation may decide and may pledge or sell such bonds, debentures and obligations for such sums and at such prices as the corporation may decide, and may mortgage, charge, hypothecate or pledge all or any part of the real or personal property of the corporation to secure any such bonds, debentures and obligations.

Manner of
execution of
notes, bonds,
securities,
etc.

7. Notwithstanding any of the provisions of any of the above-recited Acts, every such promissory note, bill of exchange, guarantee, instrument of hypothecation, charge or pledge of personal property, bond, debenture and obligation made, drawn, signed or endorsed by the Archbishop of the said diocese on behalf of the corporation under the corporate seal of the corporation shall be legal, valid and binding upon the corporation, and the execution of any guarantee in the manner aforesaid shall be conclusive evidence that such guarantee is valid and binding upon the corporation.

Existing
borrowings
confirmed.

8. It is hereby declared that the said corporation shall be bound for payment of all moneys heretofore borrowed by and in the name of the corporation and shall be liable on all guarantees heretofore entered into by and in the name of the corporation, notwithstanding that the corporation may not have had power to borrow such moneys or to enter into

such

such guarantees, if such borrowing or such guarantees would have been valid if done or entered into after this Act had come into force.

9. The persons, firms or corporations, including chartered banks, from whom any moneys may be borrowed by the corporation shall not be obliged to see to the application of the said moneys or any part thereof. Lender not obliged to see to application of moneys.

10. Section 7 of chapter 64 of the Statutes of Ontario, 1883, is amended by striking out the words "Senior-Vicar-General" in the eighth and nineteenth lines and inserting in lieu thereof the words "any vicar-general." 1883, c. 64, s. 7, amended.

11. Section 10 of chapter 64 of the Statutes of Ontario, 1883, is repealed and the following substituted therefor: 1883, c. 64, s. 10, repealed.

10. In case the bishop for the time being of the said diocese of Ottawa shall, from sickness, infirmity or any other cause, become incapable or be incapacitated to perform his duties in the said diocese, or in case of his absence from the said diocese, the co-adjutor of the said diocese, or if there is no co-adjutor any vicar-general of the said diocese, or in case of the vacancy of the seat, the vicar-capitular of the said diocese, shall during such sickness, infirmity, incapacity, absence from the said diocese or vacancy of the seat have the same powers as are by this Act conferred upon the said corporation or the said bishop. Any document signed and executed on behalf of the said corporation and bishop as aforesaid, by the said co-adjutor and any vicar-general of the said diocese and one additional clergyman of the said diocese to be selected or named by the said co-adjutor for the time being, or in case there shall happen to be no co-adjutor, by two vicars-general of the said diocese, if there is more than one vicar-general, and one additional clergyman to be selected or named by the said vicars-general for the time being, or in case there is only one vicar-general, by the said vicar-general and two clergymen of the said diocese to be selected or named by the said vicar-general, or in case of a vacancy of the seat, by the vicar-capitular of the said diocese and two clergymen to be selected or named by the said vicar-capitular for the time being, shall be valid and binding upon the said corporation if signed, sealed and executed in the presence of two credible witnesses. Execution of documents.

Construction
with prior
Acts.

12. This Act shall be read with the Act passed in the 12th year of the reign of Her late Majesty Queen Victoria, chaptered 136, the Act passed in the 24th year of the reign of Her late Majesty Queen Victoria, chaptered 128, the Act passed in the 46th year of the reign of Her late Majesty Queen Victoria, chaptered 64, and the powers by this Act conferred shall be deemed to be in addition to the powers conferred upon the said corporation by the said Acts and in case of conflict between the provisions of this Act and the provisions of any of the said Acts, the provisions of this Act shall govern.

Commence-
ment of Act.

13. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 104.

An Act respecting the Sisters of St. Joseph of the
Diocese of Hamilton.*Assented to March 29th, 1932.*

WHEREAS the Sisters of St. Joseph of the Diocese of Preamble.
Hamilton have by their petition represented that they were incorporated in the first year of the reign of His late Majesty King Edward VII, and their corporation having increased in size it is desirable that their power be enlarged with respect to the holding of real estate and by the said petition have prayed that an Act may be passed for such purpose; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Sisters of St. Joseph* Short title.
(Hamilton) Act, 1932.

2. Subject as hereinafter provided, the said corporation may from time to time and at all times hereafter, purchase, acquire, hold, possess and enjoy and have, take and receive to them and their successors to and for the uses and purposes of the corporation, any lands, tenements, hereditaments and real and immovable property not exceeding in the whole at any one time the annual value of \$150,000 situate within the limits of the Roman Catholic Diocese of Hamilton occupied or hereafter to be occupied by the said corporation or any branch thereof for the purposes thereof, and the same or any part thereof to sell, mortgage, lease, alienate or dispose of and to purchase other lands in their stead for the same purposes. Power to acquire and hold real property to annual value of \$150,000.

3. The said corporation may further acquire any other real property or any interest therein by purchase, gift, devise or bequest and may hold such real property or interest therein for a period of not more than seven years and the same or any portion thereof or interest therein as may not within the said period have been alienated or disposed of shall revert to the person from whom the same was acquired, Power to acquire further real property for limited period of seven years.

his heirs or other legal representatives; and the proceeds of such property as shall have been disposed of during the said period may be invested in public securities of the Province of Ontario, stocks of chartered banks, mortgages or other approved trustee securities for the use of the said corporation.

Powers
exercisable
by certain
officers.

4. The powers of purchasing, holding, selling, mortgaging or otherwise acquiring or disposing of real property hereby conferred may be exercised on behalf of the corporation by the five following named duly elected officers for the time being thereof, namely, the Reverend Mother Superior, the Assistant Mother and any three councillors without the necessity of any general meeting or resolution of the members and without notice to them.

Commence-
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 105.

An Act respecting the Sisters of St. Joseph of the
Diocese of Peterborough.*Assented to March 29th, 1932.*

WHEREAS the Sisters of St. Joseph of the Diocese of ^{Preamble.}
Peterborough in Ontario have by their petition
represented that they were incorporated under the provisions
of *An Act respecting Benevolent, Provident and other Societies*
and have since their incorporation considerably enlarged the
scope of their religious, charitable and educational work
undertakings and usefulness and doubts having arisen as to
the rights and powers of the corporation in that behalf it is
desirable that the same be confirmed and that certain limita-
tions imposed upon them be removed, and have by their
said petition prayed for special legislation in respect of such
matters and otherwise as hereinafter set forth; and whereas
it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and
consent of the Legislative Assembly of the Province of
Ontario, enacts as follows:

1. This Act may be cited as *The Sisters of St. Joseph* ^{Short title.}
(Peterborough) Act, 1932.

2. The rights and powers of the Sisters of St. Joseph of ^{General}
the Diocese of Peterborough, in Ontario, to erect, construct, ^{powers.}
equip, maintain and operate buildings and other erections for
the proper carrying on of its educational, hospital and other
charitable works, and to own, lease, keep and operate lands
and premises for any purposes connected with any of its
operations, and to do all other matters and things necessary
for the carrying out of the objects in which the corporation
now is or may hereafter be engaged in or occupied with are
hereby confirmed.

3. The affairs of the said corporation shall be conducted ^{Manage-}
and managed by the Mother Superior for the time being of ^{ment.}

the said corporation, assisted by a council composed of such other members of the corporation as shall be determined upon from time to time in accordance with the rules, orders and regulations of the corporation, and the said members shall be elected in such manner and at such time and shall perform such duties and do such things as may be determined thereby. The Mother Superior shall form one of such council and be the head thereof, and shall be elected by the members of the said corporation. The said Mother Superior and council for the time being shall have power and authority to make and establish such rules, orders and regulations not contrary to this Act, nor to the laws in force in this Province, as shall be deemed useful or necessary in the interests of said corporation and in the proper management thereof, and for the admission of members into the said corporation and for all other purposes connected with its operations, undertakings and works, and may from time to time alter, repeal and change such rules, orders and regulations or any of them now in force or hereafter to be put in force, and shall and may execute and perform in such manner as may be directed by the said rules, orders and regulations, all and singular every deed or other assurance, matter and thing relating to the said corporation and the management thereof, its property and its undertakings and every matter or thing which shall or may appertain thereto.

Pleading
and
impleading.

4. The said corporation by its name may sue and be sued, plead and be impleaded, answer and be answered, in all courts of law and equity, and in all places whatsoever, in as large and ample a manner as any other body politic or corporate, or as any person or persons able or capable in law may or can sue or be sued, implead and be impleaded, answer and be answered in any manner whatsoever.

Real
property.

5.—(1) The said corporation may acquire and hold as purchasers, donees, devisees or legatees, or in any other capacity, any interest in lands and tenements, and may accept and receive any gifts, devises or bequests, and alienate, grant, lease, bargain, mortgage, sell, assign or otherwise dispose of any of such interests in lands or tenements and any of such gifts, devises or bequests as it may deem proper and in the interests of said corporation.

Limitation
upon
holding real
property.

(2) The land which may be acquired, held, accepted or received by the corporation under the provisions of subsection 1 shall not exceed an annual value of \$100,000, and the provisions of *The Mortmain and Charitable Uses Act* shall apply except that the period within which the land shall be sold shall be seven years instead of two years.

Rev. Stat.,
c. 132.

(3) In the case of lands or buildings acquired or held by the said corporation for educational purposes, the value of any building or buildings acquired or erected on such land and the income from such building or buildings shall not be considered in estimating such annual value mentioned in subsection 2.

Educational
property.

6. All and every the estate and property, real and personal, heretofore granted to or acquired by the said corporation and all such estate and property now belonging to or hereafter acquired by the said corporation shall be and are hereby vested in the said corporation, and the said estate and property shall and may be held, possessed and enjoyed by the said corporation.

Vesting
of title.

7. The said corporation by its proper officers shall have power to borrow money for the purposes of its undertakings, works and charities, and as security for such loans may mortgage or otherwise charge its real or personal property and assets, or may give its promissory note or other instrument of security therefor.

Borrowing
power.

8. The persons, firms or corporations, including chartered banks, from whom any moneys may be borrowed by the corporation shall not be obliged to see to the application of the said moneys or any part thereof.

Application
of proceeds.

9. The said corporation shall have power and authority to invest its funds in all such securities as trustees are permitted to invest in under the laws of the Province of Ontario now existing or hereafter passed.

Investments.

10. All the rents, revenues, assets and property of the said corporation shall be applied solely to the maintenance of the members of the corporation, the construction and maintenance of such buildings as may be required for the purposes of the corporation, and the furtherance of any or all of the objects and works in which the said corporation is now or may be hereafter engaged.

Application
of revenues.

11. The conveyances or transfers of the lands and tenements more particularly set forth in schedule "A" hereto are hereby confirmed, and the lands and tenements described in the said conveyances or transfers mentioned in said schedule "A" are hereby vested in the said "The Sisters of St. Joseph of the Diocese of Peterborough, in Ontario," in as full and ample a manner as if the said "The Sisters of St. Joseph of the Diocese of Peterborough, in Ontario," had been named as the grantee or transferee therein.

Title to
certain
lands.

Conflict
of statutes.

12. The powers by this Act conferred shall be deemed to be in addition to the powers conferred upon the said corporation by the said Act respecting Benevolent, Provident and other Societies, and in the case of conflict between the provisions of this Act and the provisions of the said Act respecting Benevolent, Provident and other Societies, the provisions of this Act shall govern.

Commence-
ment of Act.

13. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

1. Conveyance bearing date the 23rd day of September, 1921, from Frank H. Jones and wife to "The Congregation of the Sisters of St. Joseph of the Diocese of Peterborough, in the Province of Ontario," of all and singular those certain parcels or tracts of land and premises situate, lying and being in the Town of Cobourg, in the County of Northumberland in the Province of Ontario, being composed of FIRSTLY Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), and Fourteen (14), in Block D in subdivision of Lot Twenty in the Broken Concession "B" of the Township of Hamilton in the said County as registered in the Registry Office for the West Riding of the said County as laid down on a certain plan drawn by John K. Roche, Deputy Provincial Surveyor, and registered in the Registry Book of the County of Northumberland and marked O folio 466;

AND SECONDLY: All that Parcel or Tract of land covered with water situate, lying and being in the Town of Cobourg, in the County of Northumberland, in the Province of Ontario, containing by admeasurement two and ninety-seven one-hundredths acres be the same more or less, which said parcel or tract of land covered with water may be otherwise known as follows: that is to say, being composed of Water Lot in front of Block "D" in subdivision Three of the said Town of Cobourg, formerly part of lot number Twenty in Broken Front Concession "B", Township of Hamilton, hereinafter more particularly described as follows: Commencing at the Northwest angle of Lot Twenty in Concession "B" Broken Front, in the Township of Hamilton, thence South Sixteen degrees East, Eighty-seven feet Ten inches to the water's edge of Lake Ontario, here Water Lot to be described begins; thence South Sixteen degrees East one hundred and thirty feet; thence south Sixty eight degrees Thirty minutes East eight hundred and ten feet; thence South eighty-five degrees twenty-three minutes East four hundred and eighty feet to the West side of the Monck Street produced to intersect the last aforesaid course and bearing thence Northerly along the West side of Monck Street produced to intersection with the water's edge one hundred feet; thence Northwesterly along the water's edge to the place of beginning as shown on plan of survey by Ontario Land Surveyor William Murdock dated twenty-fifth July, Nineteen hundred and seven of record, in the Department of Lands, Forests and Mines, which conveyance was registered in the Registry Office for the West Riding of the County of Northumberland on the 19th day of December, 1921, as number 9838 for the Town of Cobourg.

2. Transfer bearing date the 29th day of July, 1927, from The Corporation of the City of Port Arthur to "the Sisters of St. Joseph, the Diocese of Sault Ste. Marie" of that certain parcel of land registered under *The Land Titles Act* as Parcel 1715 in the Register for Thunder Bay Freehold situate in the City of Port Arthur, in the District of Thunder Bay and Province of Ontario, namely:

Part of Reserve or Block B on the East side of Algoma Street in the City of Port Arthur more particularly described as follows, that is to say:

COMMENCING at the northwest angle of said Reserve B at the intersection of the east limit of Algoma Street with the South limit of Cameron Street thence south fifty-five degrees thirty-six minutes east astronomically along the south limit of said Cameron Street two hundred feet, thence south thirty-four degrees twenty-four minutes west astronomically and parallel to the East limit of Algoma Street one hundred feet, thence north fifty-five degrees thirty-six minutes west astronomically and parallel to the South limit of Cameron Street two hundred feet to the east limit of Algoma Street, thence North thirty-four degrees twenty-four minutes East astronomically along the east limit of Algoma Street one hundred feet to the place of beginning containing by admeasurement nine-twentieths of an acre be the same more or less, TOGETHER with a

right-of-way at all times in common with others entitled thereto over, along and upon a lane twenty feet in perpendicular width the easterly limit of which is described as follows, that is to say: COMMENCING at the Southeast angle of the above described parcel of land, thence south thirty-four degrees twenty-four minutes West astronomically ninety-four feet six inches more or less to the north limit of a lane fifteen feet in perpendicular width laid out North of and adjoining the Northern limit of that portion of said Reserve B containing thirty-two one-hundredths of an acre granted by Letters Patent dated Eighth September Eighteen hundred and eighty-four to the Roman Catholic Episcopal Corporation for the Diocese of Peterborough.

Excepting nevertheless from within the limits of said parcel and along the east limit thereof a strip of land twenty feet in perpendicular width for the use as a lane for the Owners and Occupants of the said parcel thereby granted and of the land to the east and adjoining thereto the land thereby granted being shewn tinted red and the right-of-way tinted yellow on a plan compiled from survey made by Ontario Land Surveyor A. L. Russell dated twenty-fourth January, Nineteen hundred and three, of record in the Department of Crown Lands, a copy of which plan is attached to and forms part of the Patent.

3. Conveyance bearing date the 30th day of November, 1909, from Franklin S. Wiley et al to "Mary Flynn, known in Religion as Mother Monica, the Mother Superior of St. Joseph's Hospital, of the City of Port Arthur aforesaid" of all and singular that certain parcel or tract of land and premises, situate, lying and being in the City of Port Arthur, aforesaid, and being composed of Lot 151 according to a plan of subdivision of the east half of mining location "B," Current River, known as "Parkmount," and duly recorded in the Registry Office for the District of Thunder Bay as Plan 239, which conveyance was registered in the Registry Office for the District of Thunder Bay on the 10th day of December, 1909, as number 15216.

CHAPTER 106.

An Act respecting McMaster University.

Assented to March 29th, 1932.

WHEREAS McMaster University, incorporated by Preamble.
 Special Act of the Legislature of the Province of
 Ontario, has by its petition prayed for special legislation in
 regard to the matters hereinafter set forth; and whereas
 it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and
 consent of the Legislative Assembly of the Province of
 Ontario, enacts as follows:

1. This Act may be cited as *The McMaster University* Short title.
Act, 1932.

2. The agreement dated the 11th day of February, 1931, Agreement
for park
scheme
validated.
 between McMaster University of the first part and the Board
 of Park Management of the City of Hamilton of the second
 part, duplicate original of which was registered in the Registry
 Office for the Registry Division of the county of Wentworth
 on the 16th day of March, 1931, as number 1503 N.S. for the
 city of Hamilton and as number 13362 for the township of
 West Flamborough is hereby declared to be within the powers
 of McMaster University and the Board of Park Management
 of the city of Hamilton respectively and the said agreement
 and the general scheme of building and landscape improvement
 and planting prepared pursuant thereto are hereby declared to
 be valid and binding upon the parties thereto and the corpora-
 tion of the city of Hamilton and the ratepayers thereof, as
 fully and to the same extent as if the said agreement and
 scheme and each and every provision thereof were set out
 and enacted in this Act, and the parties to such agreement
 and the corporation of the city of Hamilton are hereby
 authorized and empowered to do and perform all acts, matters
 and things necessary to give full effect to the same.

3. This Act shall come into force on the day upon which Commence-
ment of Act.
 it receives the Royal Assent.

CHAPTER 107.

An Act respecting Wycliffe College.

Assented to March 29th, 1932.

Preamble.

WHEREAS the trustees of Wycliffe College have by their petition represented that Colonel Reuben Wells Leonard, late of the city of St. Catharines, deceased, by his last will and testament (probate whereof was issued out of the Surrogate Court of the county of Lincoln on the 9th day of March, 1931) directed certain moneys or other assets of his estate to be paid or delivered to Wycliffe College to be used by the said college for the purpose of assisting retired Anglican clergymen, graduates of the said college, and the families of such clergymen, in such manner and upon such terms and conditions as the trustees or governing body of the said college should in their discretion decide upon, including in such discretion the right and power to use either income or capital or both income and capital for the said objects and purposes, as the said governing body of the said college might in their discretion direct, it being suggested in the said will that legislation should be obtained to implement the power of the said college to accept the said moneys or other assets of the estate and to perform the said trusts in respect thereof declared in the said will; and the said trustees of Wycliffe College by their petition have prayed that an Act be passed for such purpose; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Wycliffe College Act, 1932.*

Power
to take the
Leonard
bequest.

2. The trustees of Wycliffe College, in addition to all the rights, powers and privileges now enjoyed by them, and without limiting their existing powers, shall have power to receive, hold and use upon the trusts mentioned in the will of the said Reuben Wells Leonard such moneys or other

assets

assets of his estate as may have been directed to be paid or delivered to the said college under the said will.

3. This Act shall come into force on the day upon which Commence-
it receives the Royal Assent. ment of Act.

CHAPTER 108.

An Act respecting the Trinity College School.

Assented to March 29th, 1932.

Preamble.

WHEREAS the corporation and governing body of the Trinity College School have by their petition prayed for special legislation in respect to the matters herein-after set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as the *Trinity College School Act, 1932.*

Change in name of school.

35 Vict.,
c. 111, s. 1,
amended.

2. Section 1 of the Act passed by the Legislature of the Province of Ontario in the thirty-fifth year of the reign of Her late Majesty Queen Victoria, chapter CXI, and intituled *An Act to Incorporate the Trinity College School*, is amended by striking out the name "The Trinity College School" and inserting in lieu thereof the name "Trinity College School."

35 Vict.,
c. 111, s. 2,
repealed.

3. Section 2 of the said Act is repealed and the following substituted therefor:

Power
to acquire
property.

2.—(1) The said corporation may from time to time and at all times acquire and hold as purchaser any interest in lands and tenements and the same alienate, lease, mortgage and dispose of, and purchase others in their stead, provided that the said corporation shall not at any time acquire or hold as purchaser any lands or tenements or interest therein otherwise than for actual use or occupation for the purposes of the said corporation, and the said corporation may from time to time take or hold by gift, devise or bequest any lands or tenements or interest therein; but no lands or tenements or interest therein acquired by gift, devise or bequest shall be held by the said corporation for a longer period

than

than seven years after the acquisition thereof unless the same are actually used or occupied for the purposes of the said corporation; and to the extent that any such lands or tenements or interest therein are not actually required for such use or occupation, the same shall within the said period of seven years be disposed of by the said corporation, failing which the same shall be forfeited to the Crown as in the case of lands forfeited under *The Mortmain and Charitable Uses Act*. Rev. Stat.,
c. 132.

- (2) Subject to the limitations imposed by any specific trust as to the same, the corporation may invest all such money as shall come to its hands and is not required to be expended, for any purpose to which it lawfully may be applied in such manner as to the corporation and governing body may seem meet. Investment
of funds.

4. Section 3 of the said Act is amended by striking out the words "the Professors in Arts of Trinity College for the time being," in the sixth and seventh lines; and by adding after the words "all of whom shall *ex-officio* be members of the said Governing Body," in the eighth and ninth lines, the words "a person to be appointed from time to time by the corporation of Trinity College." Constitution
of governing
body.
35 Vict.,
c. 111, s. 3,
amended.

5. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-
ment of Act.

CHAPTER 109.

An Act respecting the Women's Christian Association of London.

Assented to March 29th, 1932.

Preamble.

WHEREAS the Women's Christian Association of London has by its petition represented that it was incorporated on the 15th day of March, 1875, under the provisions of chapter 34 of the Statutes of Ontario, 1875, intituled *An Act respecting Benevolent, Provident and Other Societies*, and has since existed in the city of London, having for its purpose to distribute charity, to care for the sick and poor and to manage a home for aged people and a hospital for incurables in the said city and is governed by a constitution and by-laws which have received the assent of the members of the association, and it is desirable its said incorporation be confirmed and its powers otherwise defined and enlarged as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Women's Christian Association of London Act, 1932.*

Incorporation, confirmed.

2. The incorporation of the said association is confirmed and the association is declared to be a body corporate and politic under the name of the "Women's Christian Association of London," hereinafter referred to as "the association."

Objects of the association.

3. The purpose of the association shall be to distribute charity, to care for the sick and poor and to establish and manage homes for aged people and hospitals for sick and incurable people in the city of London and vicinity.

Constitution and by-laws.

4. The constitution and by-laws of the Women's Christian Association of London by which it is now governed shall, subject to the provisions of this Act, be the constitution and by-laws of the association until altered or repealed according to the provisions thereof.

5. The members, board of directors and officers of the Women's Christian Association of London shall be the members, board of directors and officers of the association, subject to the provisions of this Act and its constitution and by-laws.

6. All the assets, real and personal, belonging to the Women's Christian Association of London shall be and the same are hereby vested in the association subject to any liens, charges, encumbrances or obligations lawfully existing against the same.

7. The association may acquire by purchase, gift, devise and bequest whatever real and personal property is required to carry out the purposes of the association and may mortgage, encumber, sell or convey same.

8. The association may acquire by gift, devise or bequest other real property, or any estate or interest therein, not required for the actual use of the association, and may hold the same for a period of not more than seven years after it shall have been so acquired, and may within that time mortgage, lease, alienate or dispose of the same.

9. The association shall have power to establish an endowment fund or funds for any of its purposes and shall have power to create such funds out of its own moneys, or securities for moneys, and out of any gifts, devises and bequests under such trusts, regulations and conditions in respect thereto as it may from time to time determine.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 110.

An Act respecting The Young Women's Christian Association of St. Thomas.

Assented to March 29th, 1932.

Preamble.

WHEREAS The Young Women's Christian Association of St. Thomas has by its petition represented that the said association was incorporated in the year 1905, under the provisions of *An Act respecting Benevolent Provident and other Societies*; and that the said incorporation was confirmed and certain provisions made for the exemption from taxation of its lands and buildings by an Act respecting the said association, being Chapter 146 of the Statutes of Ontario, 1908; and whereas the said association has by its petition prayed that an Act be passed amending the said Act of 1908 in the manner hereinafter set out; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Young Women's Christian Association of St. Thomas Act, 1932.*

1908, c. 146,
S. 3
repealed.

2. Section 3 of chapter 146 of the Statutes of Ontario passed in the year 1908 is repealed and the following substituted therefor:

Arrears
of taxes
for 1930
cancelled.

3.—(1) All arrears of taxes for the year 1930 which are or may constitute a lien on the lands now occupied by the association are hereby cancelled and the association and its property shall be under no further liability therefor to the corporation of the city of St. Thomas.

Buildings,
etc., to be
free from
taxes except
for local
improve-
ment and
school
purposes.

(2) The buildings, lands, equipment, and undertaking of the association, so long as the same are occupied by and used for the purposes of the association, shall be and the same are hereby declared to be exempt from taxation, except taxation for local improvements and school purposes.

- (3) The provisions of this Act shall apply to all rates and taxes which may be levied by the said corporation on the said buildings, lands, equipment and undertaking and against the association during or for the purposes of the year 1932 and annually thereafter.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 111.

An Act respecting The Queen City Fire Insurance Company.

Assented to March 29th, 1932.

Preamble.

WHEREAS The Queen City Fire Insurance Company have by their petition prayed in respect to the matters hereinafter set forth for an Act to amend their Act of incorporation passed in the 34th year of the reign of Her late Majesty Queen Victoria, chaptered 73, as amended by an Act passed in the 50th year of the reign of Her late Majesty Queen Victoria, chaptered 88; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Queen City Fire Insurance Company Amendment Act, 1932.*

1871, c. 73,
s. 6,
amended.

2. Section 6 of the Act passed in the 34th year of the reign of Her late Majesty Queen Victoria, chaptered 73, and intituled *An Act to incorporate The Queen City Fire Insurance Company* as amended by an Act passed in the 50th year of the reign of Her late Majesty Queen Victoria, chaptered 88, is further amended by striking out all the words in the said section after the word "to" in the second line down to and including the words "or set forth" in the seventh line and inserting in lieu thereof the words "undertake and transact any kind of insurance for which a joint stock company may be licensed under *The Insurance Act*" so that the section shall now read as follows:

Power to
transact
insurance
business.

Rev. Stat.,
c. 222.

6. The corporation hereby created and erected shall have power and authority to undertake and transact any kind of insurance for which a joint stock company may be licensed under *The Insurance Act* and to cause themselves to be reinsured against any loss or risk they may have incurred in the course of their business and generally to do and perform all necessary

matters

matters and things connected with and proper to promote or carry out those objects.

3. This Act shall come into force on the day upon which ^{Commence-}
it receives the Royal Assent. _{ment of Act.}

CHAPTER 112.

An Act respecting a Trust Settlement of Arry Ellen Mayer Calhoun, et al.

Assented to March 29th, 1932.

Preamble.

WHEREAS Arry Ellen Mayer Calhoun, Frances Louise Mayer Strachan, Kathleen Gertrude Mayer and Mary Melissa Mayer (now Mary Melissa Mayer Fraser) all of the city of Toronto have by their petition represented that by virtue of a certain trust settlement dated the 14th day of October, 1924, made between them as settlors, and the Montreal Trust Company, as trustee, the said settlors transferred and assigned to the said trustee certain shares of stock, securities and money belonging to them upon the trusts set forth in the said trust settlement, and that the events with a view to which the said trust settlement was made not having occurred and the said settlors being desirous of amending the terms of the said settlement or otherwise disposing of the said trust estate, the said petitioners have prayed for special legislation in such respects as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Power to
vary, etc.,
trust
settlement.

1. Notwithstanding anything in the said trust settlement contained the said Arry Ellen Mayer Calhoun, Frances Louise Mayer Strachan, Kathleen Gertrude Mayer and Mary Melissa Mayer (now Mary Melissa Mayer Fraser) may at any time and from time to time during their joint lives, by deed, vary, alter, amend or revoke the said trust settlement either in whole or in part, and the said trust settlement as so varied, amended or altered from time to time may be further varied, amended, altered or revoked in like manner and so on from time to time, and the said trust settlement as so varied, amended, altered from time to time either in whole or in part or revoked in part shall have the same force and effect as if the right so to do had been reserved to the settlors in the said trust settlement.

Commence-
ment of Act.

2. This Act shall come into force upon the day on which it receives the Royal Assent.

CHAPTER

CHAPTER 113.

An Act respecting the George Taylor
Richardson Trust.*Assented to March 29th, 1932.*

WHEREAS the petition of William Folger Nickle of the Preamble. city of Kingston, one of His Majesty's counsel, has represented that under the will of George Taylor Richardson, late of the said city, deceased, by paragraph six thereof provision was made that his executor, James A. Richardson, set aside to be administered by himself or to pay to the petitioner for administration fifteen hundred dollars annually for twenty years, the principal of such fund and all interest accruing to be used by the said executor or by the petitioner for the education or advancement of the lawful children of the married men at the time of embarkation at Quebec, comprising E Company of the Second Battalion, First Brigade of the First Canadian Expeditionary Force, who might die, be killed or be permanently injured while the Company was on active service, in the event of said married men having enlisted from and being at the time of enlistment citizens of the city of Kingston or of the counties of Frontenac or Hastings, and that the said executor not having accepted the responsibility of administering the said trust, the responsibility therefor was accepted by the petitioner, as trustee, and that the restrictions incidental to said trust making it impracticable wisely to use the funds of said trust in their entirety, the petitioner has represented there is on hand for administration a substantial sum for which there is no immediate or prospective requirement for the benefit of those designated as beneficiaries by the said will, and it is advisable that said funds should be expended in the discretion of the petitioner, to advance the interests, or relieve the distress, of those who may have been members of said E Company at any time while the said George Taylor Richardson was Captain thereof, the members of their families, or their dependants, and has prayed for special legislation in respect thereof as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The George Taylor Richardson Trust Act, 1932*.

Powers of trustee in use of fund. **2.** In addition to the powers of the said trustee conferred upon him by virtue of the said will, it shall be lawful for the said trustee, or his successor, who is hereby authorized so to do, to use the funds of said trust and the income therefrom, as in his discretion may seem wise, to relieve the distress of those who may have been members of said E Company at any time while the said George Taylor Richardson was a Captain thereof, the members of their families, or their dependants, giving priority from time to time, however, to the claims of those who may be in distress as a result of the war services of the members of the said E Company.

Prior use validated. **3.** It is hereby declared that any such use heretofore made by the said trustee shall be and the same is confirmed and declared to have been and be legal and valid.

Commencement of Act. **4.** This Act shall come into force on the day upon which it receives the Royal Assent.

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TABLE OF PUBLIC STATUTES 1927-1932

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WITH AMENDMENTS THERETO, INCLUDING THE
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NOTE.—This table has been prepared for the convenience of the public under the instructions of the Attorney-General. Each Act, with its amendments, is shown alphabetically in the table under the heading of its short title, if it has one, otherwise under its long title. Numerous subject matter or collective titles have been inserted by way of cross-reference to facilitate the finding of the different Acts.

Abbreviations.—aff.=affecting; am.=amending; c.=chapter; rep.=repealing; R.S.O.=Revised Statutes of Ontario; s.=section; sub.=substituting; sup.=superseding.

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- AN ACT FOR RAISING MONEY ON THE CREDIT OF THE CONSOLIDATED REVENUE FUND. 1928, c. 6; 1929, c. 2; 1930, c. 2; 1931, c. 2; 1932, c. 2.
- AN ACT RESPECTING CERTAIN LANDS OF THE CANADIAN GENERAL ELECTRIC COMPANY, LIMITED, IN THE COUNTY OF WELLAND. 1928, c. 20.
- AN ACT RESPECTING DOMINION AGRICULTURAL CREDIT COMPANY, LIMITED, 1931. c. 18.
- AN ACT RESPECTING THE TORONTO GENERAL HOSPITAL. R.S.O. 1927, c. 358; 1928, c. 58 aff.; 1931, c. 140 am.
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 COMPANIES. *See* Companies Act; Companies Information Act; Corporation Securities Registration Act; Extra-Provincial Corporations Act; Minority Shareholders Rights Act; Real Estate Brokers Act; Securities Act.
 COMPANIES ACT. R.S.O. 1927, c. 218; 1928, c. 32 am.; 1929, c. 49 am.; 1930, c. 37 am.; 1931, c. 46 am.; 1932, c. 53, ss. 21, 22 am., s. 23 aff.
 COMPANIES INFORMATION ACT. 1928, c. 33; 1929, c. 50 am.; 1930, c. 38 am.; 1931, c. 47 am.; 1932, c. 53, s. 35 am.
 COMPENSATION. *See* Blind Workmen's Compensation Act; Industrial and Mining Lands Compensation Act; Workmen's Compensation Act; Workmen's Compensation Insurance Act.
 CONDITIONAL SALES ACT. R.S.O. 1927, c. 165; 1929, c. 23, s. 8 am.; 1931, c. 23, s. 12 am.; 1932, c. 18 am.
 CONSOLIDATED CHEESE FACTORIES ACT. R.S.O. 1927, c. 77.
 CONSOLIDATED REVENUE FUND ACT. R.S.O. 1927, c. 22.
 CONSTABLES ACT. R.S.O. 1927, c. 125; 1929, c. 39 am.
 CONSTITUTIONAL QUESTIONS ACT. R.S.O. 1927, c. 117.
 CONTINUATION SCHOOLS ACT. R.S.O. 1927, c. 325; 1928, c. 53, s. 3 am.; 1929, c. 84, ss. 5, 6 am.; 1930, c. 63, ss. 12, 13 am.; 1931, c. 71, s. 8 am.; 1932, c. 42, ss. 15, 16 am.
 CONTRIBUTORY NEGLIGENCE ACT. R.S.O. 1927, c. 103; 1930, c. 27, s. 9 rep. and sup.
 CONTROVERTED ELECTIONS ACT. R.S.O. 1927, c. 11; 1928, c. 4 am.

CONVEYANCING. *See* Conveyancing and Law of Property Act; Investigation of Titles Act; Land Titles Act; Land Transfers Tax Act; Registry Act; Short Forms of Conveyances Act.

CONVEYANCING AND LAW OF PROPERTY ACT. R.S.O. 1927, c. 137.

CO-OPERATIVE CREDIT SOCIETIES ACT. 1922, c. 64.

CO-OPERATIVE MARKETING LOAN ACT. R.S.O. 1927, c. 75; 1932, c. 16 rep. and sup.

CORN BORER ACT. R.S.O. 1927, c. 312; 1929, c. 23, s. 17 am.

CORONERS ACT. R.S.O. 1927, c. 123; 1931, c. 31 am.; 1932, c. 53, ss. 12, 13 am.

CORPORATION SECURITIES REGISTRATION ACT. 1932, c. 50.

CORPORATIONS TAX ACT. R.S.O. 1927, c. 29; 1928, c. 21, s. 1 am.; 1930, c. 6 am.; 1931, c. 8 am.; 1932, c. 8 am.

COSTS OF DISTRESS ACT. R.S.O. 1927, c. 110; 1929, c. 34 am.; 1931, c. 28, s. 2 rep., ss. 3, 4 am.

COUNTIES REFORESTATION ACT. R.S.O. 1927, c. 289.

COUNTY COURT JUDGES' CRIMINAL COURTS ACT. R.S.O. 1927, c. 93.

COUNTY COURTS ACT. R.S.O. 1927, c. 91; 1928, c. 21, s. 5 am.

COUNTY JUDGES ACT. R.S.O. 1927, c. 90; 1928, c. 21, s. 18 am.; 1929, c. 23, s. 3 am.; 1930, c. 25, s. 2 am., s. 3 rep.; 1931, c. 27 am.

COUNTY PUBLICITY ACT. R.S.O. 1927, c. 74; 1930, c. 21, s. 5 am.

COURTS. *See* Administration of Justice Expenses Act; County Court Judges' Criminal Courts Act; County Courts Act; County Judges Act; Division Courts Act; Dominion Courts Act; Extra-Judicial Services Act; General Sessions Act; Judicature Act; Jurors' Act; Justices of the Peace Act; Magistrates Act; Mining Act; Privy Council Appeals Act; Surrogate Courts Act.

CREAM. *See* Dairy Products Act; Milk and Cream Act.

CREDITORS RELIEF ACT. R.S.O. 1927, c. 113.

CROWN ADMINISTRATION OF ESTATES ACT. R.S.O. 1927, c. 104; 1930, c. 28 am.

CROWN ATTORNEYS ACT. R.S.O. 1927, c. 122; 1929, c. 38 am.

CROWN TIMBER ACT. R.S.O. 1927, c. 38; 1928, c. 14 am.; 1929, c. 23, s. 2 am.

CROWN WITNESSES ACT. R.S.O. 1927, c. 127.

CULLERS ACT. R.S.O. 1927, c. 209.

CUSTODY OF DOCUMENTS ACT. R.S.O. 1927, c. 157.

D

DAIRY. *See* Consolidated Cheese Factories Act; Cheese and Butter Exchanges Act; Dairy Products Act; Milk and Cream Act; Milk, Cheese and Butter Act.

DAIRY PRODUCTS ACT. R.S.O. 1927, c. 267; 1930, c. 53 rep. and sup.

DAMAGE BY FUMES ARBITRATION ACT. R.S.O. 1927, c. 49.

DEATHS. *See* Vital Statistics Act.

DEBT COLLECTORS ACT. R.S.O. 1927, c. 272.

DEFINITION OF TIME ACT. R.S.O. 1927, c. 160.

DENTISTRY ACT. R.S.O. 1927, c. 198; 1931, c. 40 am.

DEPARTMENT OF AGRICULTURE ACT. R.S.O. 1927, c. 66.

DEPARTMENT OF EDUCATION ACT. R.S.O. 1927, c. 322; 1930, c. 63, ss. 1, 2 am.; 1932, c. 53, s. 32 am.

DEPARTMENT OF LABOUR ACT. R.S.O. 1927, c. 62; 1931, c. 15 am.; 1932, c. 15 am.

DEPARTMENT OF PUBLIC WELFARE ACT. 1931, c. 5.

DEPENDANTS' RELIEF ACT. 1929, c. 47; 1930, c. 35 am.

DESERTED WIVES' AND CHILDREN'S MAINTENANCE ACT. R.S.O. 1927, c. 184.

DEVOLUTION OF ESTATES ACT. R.S.O. 1927, c. 148; 1929, c. 42 am.; 1930, c. 21, s. 11 am.; 1931, c. 32 am.

DISTRICT COURT HOUSES ACT. R.S.O. 1927, c. 352.

DISTRICT HOUSES OF REFUGE ACT. R.S.O. 1927, c. 349; 1931, c. 75 am.

DITCHES AND WATERCOURSES ACT. R.S.O. 1927, c. 316; 1931, c. 67 am.

DIVISION COURTS ACT. R.S.O. 1927, c. 95; 1929, c. 30 am.

DIVORCE. *See* Matrimonial Causes Act; Vital Statistics Act.

DOGS. *See* Dog Tax and Sheep Protection Act; Vicious Dogs Act.

DOG TAX AND SHEEP PROTECTION ACT. R.S.O. 1927, c. 300; 1929, c. 78 am.

DOMINION AGRICULTURAL CREDIT COMPANY, LIMITED. 1931, c. 18.

DOMINION COMMISSIONERS OF POLICE ACT. R.S.O. 1927, c. 124.

DOMINION COURTS ACT. R.S.O. 1927, c. 87.

DOWER ACT. R.S.O. 1927, c. 100; 1928, c. 21, s. 6 am.

DRAINAGE. *See* Ditches and Watercourses Act; Interprovincial Drainage Act; Municipal Drainage Act; Municipal Drainage Aid Act; Provincial Aid to Drainage Act; Tile Drainage Act.

DRUGLESS PRACTITIONERS ACT. R.S.O. 1927, c. 200; 1928, c. 45, s. 2 aff.; 1932, c. 53, s. 20 am.

E

EDUCATION. *See* Adolescent School Attendance Act; Agricultural College Act; Auxiliary Classes Act; Boards of Education Act; Boys' Welfare Home and School Act; College of Art Act; Continuation Schools Act; Department of Education Act; High Schools Act; Industrial Schools Act; Mining Schools Act; Ontario Training Schools Act; Public Schools Act; School Attendance Act; Schools for the Deaf and Blind Act; Separate Schools Act; University Act; Upper Canada College Act; Veterinary Science Practice Act; Vocational Education Act; School Law Amendment Act.

EGRESS FROM PUBLIC BUILDINGS ACT. R.S.O. 1927, c. 284.

ELECTION ACT. R.S.O. 1927, c. 8; 1928, c. 3 am.; 1929, c. 5 am.; 1930, c. 3 am.; 1932, c. 53, s. 2 am.

ELECTIONS. *See* Municipal Act; Controverted Elections Act; Election Act; Political Contributions Act; Personation Act; Voters' Lists Act.

ELECTRIC RAILWAYS. *See* Municipal Electric Railway Act; Railway Act; Hydro Electric Railway Act.

EMBALMERS AND FUNERAL DIRECTORS ACT. 1928, c. 31; 1932, c. 45 am.

EMBALMERS AND UNDERTAKERS' ACT. R.S.O. 1927, c. 211; 1928, c. 31 rep. and sup.

EMPLOYMENT AGENCIES ACT. R.S.O. 1927, c. 216.

ENGINEERS. *See* Operating Engineers Act; Professional Engineers Act.

ENTRY OF HORSES AT EXHIBITIONS ACT. R.S.O. 1927, c. 271.

ESCHEATS ACT. R.S.O. 1927, c. 133.

ESTATES TAIL ACT. R.S.O. 1927, c. 141.

ESTREATS ACT. R.S.O. 1927, c. 128; 1928, c. 22 am.

EVIDENCE ACT. R.S.O. 1927, c. 107; 1929, c. 33 am.; 1930, c. 29 am.; 1932, c. 53, s. 11 am.

EXECUTION ACT. R.S.O. 1927, c. 112; 1929, c. 35 am.

EXECUTIVE COUNCIL ACT. R.S.O. 1927, c. 14; 1930, c. 5 am.

EXTRA JUDICIAL SERVICES ACT. R.S.O. 1927, c. 89.

EXTRAMURAL EMPLOYMENT OF PERSONS UNDER SENTENCE ACT. R.S.O. 1927, c. 363.

EXTRA PROVINCIAL CORPORATIONS ACT. R.S.O. 1927, c. 219; 1928, c. 21, s. 19 am.; 1929, c. 52 am.; 1932, c. 53, s. 24 am.

F

FACTORS ACT. R.S.O. 1927, c. 168.

FACORY, SHOP AND OFFICE BUILDING ACT. R.S.O. 1927, c. 275; 1929, c. 72, ss. 2, 3, 9, 13 aff., ss. 4-8 and 10-12 am.; 1932, c. 35 rep and sup.

FARM LOANS. *See* Agricultural Development Act; Agricultural Development Finance Act; Farm Loans Act.

FARM LOANS ACT. R.S.O. 1927, c. 69.

FATAL ACCIDENTS ACT. R.S.O. 1927, c. 183.

FEMALE PATIENTS AND PRISONERS PROTECTION ACT. R.S.O. 1927, c. 283.

FEMALE REFUGES ACT. R.S.O. 1927, c. 347; 1932, c. 53, s. 33 am.

FENCES. *See* Line Fences Act; Snow Roads and Fences Act.

FERRIES ACT. R.S.O. 1927, c. 159.

FINES AND FORFEITURES ACT. R.S.O. 1927, c. 129.

FIRE. *See* Accidental Fires Act; Fire Accidents Act; Fire Departments Act; Fire Guardians Act; Fire Marshals Act; Fires Extinguishment Act; Forest Fires Prevention Act; Prevention of Accidents by Fire in Hotels Act; Railway Fire Charge Act.

FIRE ACCIDENTS ACT. R.S.O. 1927, c. 296.

FIRE DEPARTMENTS ACT. R.S.O. 1927, c. 245.

FIRE GUARDIANS ACT. R.S.O. 1927, c. 293.

- FIRE MARSHALS ACT. R.S.O. 1927, c. 295; 1929, c. 76 am.; 1930, c. 61 am.; 1931, c. 62 am.
- FIREMEN. *See* Fire Departments Act; Firemen's Exemption Act.
- FIREMEN'S EXEMPTION ACT. R.S.O. 1927, c. 244.
- FIRES EXTINGUISHMENT ACT. R.S.O. 1927, c. 294.
- FOREST. *See* Forest Fires Prevention Act; Forestry Act; Private Forest Reserves Act; Provincial Forests Act.
- FOREST FIRES PREVENTION ACT. R.S.O. 1927, c. 291; 1930, c. 60 rep. and sup.
- FOREST RESERVES ACT. R.S.O. 1927, c. 40; 1929, c. 14, s. 12 rep.
- FORESTRY ACT. R.S.O. 1927, c. 41.
- FOWL. *See* Transportation of Fowl Act.
- FRAUD. *See* Alberta Coal Sales Act; Fraudulent Conveyances Act; Fraudulent Debtors' Arrest Act; Fruit Sales Act; Real Estate Brokers Act; Securities Act; Statute of Frauds.
- FRAUDULENT CONVEYANCES ACT. R.S.O. 1927, c. 134.
- FRAUDULENT DEBTORS' ARREST ACT. R.S.O. 1927, c. 115.
- FRUIT PACKING ACT. R.S.O. 1927, c. 76; 1932, c. 53, ss. 8, 9 am.
- FRUIT PESTS ACT. R.S.O. 1927, c. 310.
- FRUIT SALES ACT. R.S.O. 1927, c. 269.
- FRUIT AND VEGETABLES CONSIGNMENT ACT. R.S.O. 1927, c. 270.
- FUEL OIL TAX ACT. 1932, c. 12.
- FUEL SUPPLY ACT. R.S.O. 1927, c. 51.
- FUR-BEARING ANIMALS KEPT IN CAPTIVITY ACT. R.S.O. 1927, c. 321.

G

- GAME AND FISHERIES ACT. R.S.O. 1927, c. 318; 1928, c. 52 am.; 1929, c. 82 am.; 1930, c. 62 am.; 1931, c. 69 am.; 1932, c. 41 am.
- GAMING ACT. R.S.O. 1927, c. 260.
- GAOLS ACT. R.S.O. 1927, c. 351; 1931, c. 23, s. 25 am.
- GAS. *See* Natural Gas Conservation Act; Well Drillers Act.
- GASOLINE TAX ACT. R.S.O. 1927, c. 55; 1929, c. 18 am.; 1931, c. 23, s. 6 am.; 1932, c. 11 am.
- GENERAL PURCHASING AGENT'S ACT. R.S.O. 1927, c. 34.
- GENERAL SESSIONS ACT. R.S.O. 1927, c. 92.
- GINSENG ACT. R.S.O. 1927, c. 313.
- GOVERNMENT STOCK. *See* Provincial Loans Act.
- GRAND RIVER CONSERVATION COMMISSION ACT. 1932, c. 55.
- GUARANTEE COMPANIES SECURITIES ACT. R.S.O. 1927, c. 230.
- GUARDIANSHIP. *See* Infants Act.
- GUELPH RAILWAY ACT. 1921, c. 22; 1923, c. 40 am.; 1931, c. 14 am.

H

- HABEAS CORPUS ACT. R.S.O. 1927, c. 116.
- HALIBURTON ACT. R.S.O. 1927, c. 4; 1931, c. 4, s. 4 aff.; 1931, c. 71, s. 16 am.
- HAMILTON STREET RAILWAY COMPANY ACT. 1932, c. 57.
- HEALTH. *See* One Day's Rest in Seven Act; Public Health Act; Silicosis Act; Vaccination Act; Venereal Diseases Prevention Act.
- HIGH SCHOOLS ACT. R.S.O. 1927, c. 326; 1928, c. 53, ss. 4-6 am.; 1929, c. 84, ss. 7-11 am.; 1930, c. 63, ss. 14-17 am.; 1931, c. 71, ss. 9-13 am.; 1932, c. 42, ss. 17, 18 am.
- HIGHWAY. *See* Colonization Roads Act; Highway Improvement Act; Highway Improvement Fund Act; Highway Traffic Act; Public Service Works on Highways Act; Public Commercial Vehicle Act; Public Vehicle Act; Snow Roads and Fences Act; Statute Labour Act; Tree Planting Act.
- HIGHWAY IMPROVEMENT ACT. R.S.O. 1927, c. 54; 1928, c. 18 am.; 1929, c. 17 am.; 1930, c. 10 am.; 1931, c. 11, ss. 1-12 am.; s. 13 rep.; 1932, c. 53, s. 5 am.
- HIGHWAY IMPROVEMENT FUND ACT. 1930, c. 11.
- HIGHWAY TRAFFIC ACT. R.S.O. 1927, c. 251; 1928, c. 42 am.; 1929, c. 68 am.; 1930, cc. 47, 48 am.; 1931, c. 54 am.; 1932, c. 32 am.

HORSES. *See* entry of Horses at Exhibitions Act; Stallion Act.

HORTICULTURAL SOCIETIES ACT. R.S.O. 1927, c. 72.

HOSPITALS. *See* Charitable Institutions Act; Hospitals and Charitable Institutions Act; Hospitals for the Insane Act; Ontario Hospital, Woodstock, Act; Private Hospitals Act; Private Sanitarium Act; Psychiatric Hospitals Act; Public Hospitals Act; Sanatoria for Consumptives Act; Toronto General Hospital Act.

HOSPITALS AND CHARITABLE INSTITUTIONS ACT. R.S.O. 1927, c. 359; 1928, c. 59 am.; 1930, c. 21, s. 18 am.; 1931, c. 78 rep. and sup.

HOSPITALS FOR THE INSANE ACT. R.S.O. 1927, c. 353; 1930, c. 66 am.; 1931, c. 23, s. 26 am.

HOTELS ACT. 1929, c. 75.

HOURS OF LABOUR. *See* Factory, Shop and Office Building Act; Fire Departments Act; Mining Act; Municipal Act; One Day's Rest in Seven Act; Railway Act.

HOUSES OF REFUGE ACT. R.S.O. 1927, c. 348; 1931, c. 74 am.

HYDRO-ELECTRIC. *See* Hydro-Electric Negligence Act; Hydro-Electric Railway Act; Municipal Electric Railway Act; Power Commission Act; Power Commission Insurance Act; Rural Hydro-Electric Distribution Act; Water Powers' Regulation Act.

HYDRO-ELECTRIC NEGLIGENCE ACT. R.S.O. 1927, c. 61.

HYDRO-ELECTRIC RAILWAY ACT. 1929, c. 55.

I

INDIAN LANDS ACT. 1924, c. 15.

INDUSTRIAL EDUCATION. *See* Vocational Education Act.

INDUSTRIAL FARMS ACT. R.S.O. 1927, c. 350; 1931, c. 23, s. 24 am.; 1932, c. 43, rep. and sup.

INDUSTRIAL AND MINING LANDS COMPENSATION ACT. R.S.O. 1927, c. 147.

INDUSTRIAL DISPUTES INVESTIGATION ACT. 1932, c. 20.

INDUSTRIAL SCHOOLS ACT. R.S.O. 1927, c. 329; 1931, c. 73 am.

INDUSTRIAL SITES ACT. 1929, c. 59.

INFANTS. *See* Children.

INFANTS ACT. R.S.O. 1927, c. 186; 1929, c. 48 am.

INJURED ANIMALS ACT. R.S.O. 1927, c. 302.

INNKEEPERS' ACT. R.S.O. 1927, c. 210; 1929, c. 75, s. 3 rep.

INSANE. *See* Hospitals for the Insane Act; Psychiatric Hospitals Act.

INSOLVENCY. *See* Assignment and Preferences Act.

INSURANCE. *See* (Automobile) Insurance Act; An Act respecting Dominion Agricultural Credit Company, Limited; Highway Traffic Act; Insurance Act; Insurance (Temporary Provisions) Act; Workmen's Compensation Insurance Act; Power Commission Insurance Act.

INSURANCE ACT. R.S.O. 1927, c. 222; 1928, c. 35 am.; 1929, c. 53 am.; 1930, c. 41 am.; 1931, c. 18 aff.; c. 23, s. 17 aff.; c. 49 am.; 1932, c. 24, ss. 2-10 am., s. 11 aff.; 1932, c. 25 am.; 1932, c. 26 aff.

INSURANCE (TEMPORARY PROVISIONS) ACT. 1932, c. 26.

INTERPRETATION ACT. R.S.O. 1927, c. 1.

INTERPROVINCIAL DRAINAGE ACT. 1932, c. 52.

INTESTATE SUCCESSION. *See* Devolution of Estates Act.

INVESTIGATION OF TITLES ACT. 1929, c. 41; 1930, c. 30 am.

IRON ORE BOUNTY ACT. 1924, c. 19; 1930, c. 9 rep. and sup.

J

JUDGES' ORDERS ENFORCEMENT ACT. R.S.O. 1927, c. 111.

JUDICATURE ACT. R.S.O. 1927, c. 88; 1928, c. 21, s. 4 am.; 1930, c. 21, s. 6 aff. s. 7 rep.; c. 22 am.; c. 23 am.; 1931, c. 24 am.; 1932, c. 53, s. 10 am.

JURORS' ACT. R.S.O. 1927, c. 96; 1929, c. 31 am.

JUSTICES OF THE PEACE ACT. R.S.O. 1927, c. 118; 1931, c. 29 am.

JUVENILE COURTS ACT. R.S.O. 1927, c. 281; 1928, c. 48 am.; 1929, c. 74 am.; 1930, c. 57 am.; 1931, c. 23, s. 21 am.

K

KAPUSKASING, TOWN OF. 1921, c. 36; 1930, c. 21, s. 19 am.; 1932, c. 53, s. 34 aff.

KING'S PRINTER ACT. R.S.O. 1927, c. 79.

L

- LABOUR. *See* Blind Workmen's Compensation Act; Department of Labour Act; Employment Agencies Act; Minimum Wage Act; One Day's Rest in Seven Act; Unemployment Relief Act; Workmen's Compensation Act.
- LAC SEUL CONSERVATION ACT. 1928, c. 12.
- LAKES AND RIVERS IMPROVEMENT ACT. R.S.O. 1927, c. 43; 1928, c. 11 am.
- LAND. *See* Indian Lands Act; Industrial Sites Act; Investigation of Titles Act; Land Titles Act; Land Transfer Tax Act; Northern Development Act; Provincial Land Tax Act; Public Lands Act; Registry Act; Returned Soldiers' and Sailors' Land Settlement Act; Tax Sales Confirmation Act; Veterans' Land Grant Act.
- LAND SURVEYORS ACT. R.S.O. 1927, c. 201; 1928, c. 21, s. 9 am.; 1931, c. 41 rep. and sup.
- LAND TITLES ACT. R.S.O. 1927, c. 158; 1929, c. 45 am.; 1931, c. 23, s. 11 am.; 1932, c. 53, s. 14 am.
- LAND TRANSFER TAX ACT. R.S.O. 1927, c. 31.
- LANDLORD AND TENANT ACT. R.S.O. 1927, c. 190; 1928, c. 30 am.
- LAW SOCIETY ACT. R.S.O. 1927, c. 192; 1928, c. 21, s. 8 am.; 1930, c. 21, s. 13 am.; 1932, c. 53, s. 19 am.
- LAW STAMPS ACT. R.S.O. 1927, c. 27; 1932, c. 53, s. 3 am.
- LEASES. *See* Short Forms of Leases Act.
- LEGISLATIVE ASSEMBLY ACT. R.S.O. 1927, c. 12; 1930, c. 4 am.
- LEGISLATIVE SECRETARY FOR NORTHERN ONTARIO ACT. R.S.O. 1927, c. 15.
- LEGITIMATION ACT. R.S.O. 1927, c. 187.
- LIBEL AND SLANDER ACT. R.S.O. 1927, c. 101.
- LIBRARIES. *See* Public Libraries Act.
- LIEUTENANT-GOVERNOR'S ACT. R.S.O. 1927, c. 13.
- LIGHTNING ROD ACT. R.S.O. 1927, c. 297; 1931, c. 63 am.
- LIMITATIONS ACT. R.S.O. 1927, c. 106.
- LIMITED PARTNERSHIP ACT. R.S.O. 1927, c. 171; 1930, c. 21, s. 12 am.; 1931, c. 23, s. 13 am.
- LINE FENCES ACT. R.S.O. 1927, c. 315; 1931, c. 66 am.
- LIQUOR CONTROL ACT. R.S.O. 1927, c. 257; 1928, c. 44 am.; 1929, c. 69 am., c. 75, s. 3 am.; 1930, c. 51 am.; 1932, c. 33 am.
- LIVE STOCK AND PRODUCTS ACT. R.S.O. 1927, c. 306; 1932, c. 38 rep. and sup.
- LOAD OF VEHICLES. *See* Highway Traffic Act.
- LOAN AND TRUST CORPORATIONS ACT. R.S.O. 1927, c. 223; 1928, c. 21, s. 10 am., c. 36 am.; 1929, c. 54 am.; 1930, c. 42 am.; 1931, c. 18 aff.; c. 23, s. 18 am.
- LOANS. *See* Agricultural Development Act; Agricultural Development Finance Act; Co-operative Marketing Loan Act; Farm Loans Act; Loan and Trust Corporations Act; Money Lenders Act; Ontario Loan Act; Provincial Loans Act; Rural Power District Loans Act.
- LOCAL IMPROVEMENT ACT. R.S.O. 1927, c. 235; 1928, c. 38 am.; 1929, c. 60 am.; 1930, c. 45 am.; 1931, c. 55 am.; 1932, c. 30 am.
- LONG POINT PARK ACT. R.S.O. 1927, c. 84.
- LUNACY ACT. R.S.O. 1927, c. 98; 1929, c. 32 am.; 1930, c. 26 am.
- LUXURY TAX ACT. R.S.O. 1927, c. 33; 1932, c. 10, s. 7 rep.

M

- MAGISTRATES ACT. R.S.O. 1927, c. 119; 1929, c. 23, s. 5 am.; 1930, c. 21, s. 9 am.
- MAGISTRATES' JURISDICTION ACT. 1929, c. 36.
- MANITOBA. *See* Ontario and Manitoba Boundary Line Act.
- MARKETING. *See* An Act respecting Dominion Agricultural Credit Company, Limited; Co-operative Marketing Loan Act; Fruit and Vegetables Consignment Act; Fruit Sales Act; Ontario Marketing Act.
- MARRIAGES. *See* Marriage Act; Vital Statistics Act.
- MARRIAGE ACT. R.S.O. 1927, c. 181; 1928, c. 27 am.; 1931, c. 23, s. 14 am.; 1932 c. 53, s. 17 am.
- MARRIED WOMEN'S PROPERTY ACT. R.S.O. 1927, c. 182; 1931, c. 33 am.
- MASTER AND SERVANT ACT. R.S.O. 1927, c. 177; 1929, c. 23, s. 9.
- MATERNITY BOARDING HOUSE ACT. R.S.O. 1927, c. 278.

- MATRIMONIAL CAUSES ACT. 1931, c. 25.
- MCMASTER UNIVERSITY LANDS ACT. 1931, c. 72.
- MECHANICS' LIEN ACT. R.S.O. 1927, c. 173; 1932, c. 19 am.
- MEDICAL ACT. R.S.O. 1927, c. 196; 1932, c. 22 am.
- MERCANTILE LAW AMENDMENT ACT. R.S.O. 1927, c. 161.
- MILK. *See* Dairy Products Act; Milk and Cream Act; Milk, Cheese and Butter Act.
- MILK, CHEESE AND BUTTER ACT. R.S.O. 1927, c. 266.
- MILK AND CREAM ACT. R.S.O. 1927, c. 265.
- MILLS LICENSING ACT. R.S.O. 1927, c. 39.
- MINIMUM WAGE ACT. R.S.O. 1927, c. 277; 1929, c. 23, s. 14 am.; 1932, c. 36 am.
- MINING. *See* Damage by Fumes Arbitration Act; Industrial and Mining Lands Compensation Act; Iron Ore Bounty Act; Mining Act; Mining Schools Act; Mining Tax Act; Radium Act; Unwrought Metal Sales Act.
- MINING ACT. R.S.O. 1927, c. 45; 1928, c. 16 am.; 1929, c. 15 am.; 1930, c. 8 am.; 1931, c. 10 am.; 1932, c. 13 am.
- MINING SCHOOLS ACT. R.S.O. 1927, c. 341.
- MINING TAX ACT. R.S.O. 1927, c. 28; 1930, c. 21, s. 3 am.; 1931, c. 8 am.; 1932, c. 7 am.
- MINORITY SHAREHOLDERS RIGHTS ACT. R.S.O. 1927, c. 229.
- MINORS' PROTECTION ACT. R.S.O. 1927, c. 259.
- MONEY-LENDERS ACT. R.S.O. 1927, c. 212.
- MORTGAGE TAX ACT. R.S.O. 1927, c. 156; 1929, c. 44 am.
- MORTGAGES. *See* Bills of Sale and Chattel Mortgages Act; Mortgages Act; Mortgagors' and Purchasers' Relief Act; Short Forms of Mortgages Act.
- MORTGAGES ACT. R.S.O. 1927, c. 140.
- MORTGAGORS' AND PURCHASERS' RELIEF ACT. 1932, c. 49.
- MORTMAIN AND CHARITABLE USES ACT. R.S.O. 1927, c. 132.
- MOTOR VEHICLES. *See* Highway Traffic Act.
- MOTHERS' ALLOWANCES ACT. R.S.O. 1927, c. 280; 1928, c. 47 am.; 1929, c. 23, s. 16 am.; 1930, c. 55 am.; 1931, c. 23, s. 20 am.; 1932, c. 53, ss. 29, 30 am.
- MOVING PICTURES. *See* Theatres and Cinematographs Act.
- MUNICIPAL AFFAIRS. *See* Assessment Act; Bonus Limitation Act; Industrial Sites Act; Local Improvement Act; Municipal Act; Ontario Municipal Board Act; Planning and Development Act; Statute Labour Act; Suburban Area Development Act.
- MUNICIPAL ACT. R.S.O. 1927, c. 233; 1928, c. 37 am.; 1929, c. 57 am., c. 58 am., c. 79, s. 13 am.; 1930, c. 44 am.; 1931, c. 50 am.; 1932, c. 27, s. 165 am.; 1932, c. 29 am., c. 42, s. 7 (2) am.
- MUNICIPAL ARBITRATIONS ACT. R.S.O. 1927, c. 242; 1928, c. 40 am.
- MUNICIPAL BOARD. *See* Ontario Municipal Board Act.
- MUNICIPAL DRAINAGE ACT. R.S.O. 1927, c. 241; 1931, c. 56 am.
- MUNICIPAL DRAINAGE AID ACT. R.S.O. 1927, c. 64.
- MUNICIPAL ELECTIONS. *See* Municipal Act; Voters' Lists Act.
- MUNICIPAL ELECTRIC RAILWAY ACT. R.S.O. 1927, c. 226.
- MUNICIPAL FRANCHISES ACT. R.S.O. 1927, c. 240; 1929, c. 65 am.
- MUNICIPAL AND SCHOOL ACCOUNTS AUDIT ACT. R.S.O. 1927, c. 243; 1931, c. 53 am.; 1932, c. 27, s. 165 rep.
- MUSEUM. *See* Royal Ontario Museum.

N

- NATURAL GAS. *See* Natural Gas Conservation Act; Mining Tax Act, Part II; Well Drillers Act.
- NATURAL GAS CONSERVATION ACT. R.S.O. 1927, c. 47; 1929, c. 16 am.; 1931, c. 23, ss. 2-5 am.
- NEGLIGENCE ACT. 1930, c. 27; 1931, c. 26 am.
- NIAGARA PARKS ACT. R.S.O. 1927, c. 81; 1929, c. 27 am.; 1931, c. 22 am.
- NORTHERN DEVELOPMENT ACT. R.S.O. 1927, c. 36; 1929, c. 12 am.
- NORTHERN ONTARIO. *See* Legislative Secretary for Northern Ontario Act; Northern Development Act; Northern Ontario Appropriation Act; Northern Ontario Relief Act.

NORTHERN ONTARIO APPROPRIATION ACT. 1929, c. 11; 1930, c. 7; 1931, c. 3; 1932, c. 3.
 NORTHERN ONTARIO RELIEF ACT. 1928, c. 10.
 NOTARIES ACT. R.S.O. 1927, c. 195.
 NURSES. *See* Registration of Nurses Act.

O

OFFENSIVE WEAPONS ACT. R.S.O. 1927, c. 288.
 OFFICIAL NOTICES PUBLICATION ACT. R.S.O. 1927, c. 21.
 OIL WELLS. *See* Well Drillers Act.
 OLD AGE PENSIONS ACT. 1929, c. 73; 1930, c. 56 am.; 1932, c. 46 am.
 ONE DAY'S REST IN SEVEN ACT. R.S.O. 1927, c. 276.
 ONTARIO AND MANITOBA BOUNDARY LINE ACT. 1929, c. 3.
 ONTARIO HOSPITAL, WOODSTOCK, ACT. R.S.O. 1927, c. 356; 1931, c. 23, s. 29 am.
 ONTARIO LOAN ACT. 1928, c. 6; 1929, c. 2; 1930, c. 2; 1931, c. 2; 1932, c. 2.
 ONTARIO MARKETING ACT. 1931, c. 17.
 ONTARIO MUNICIPAL BOARD ACT. 1932, c. 27.
 ONTARIO TRAINING SCHOOLS ACT. 1931, c. 60; 1932, c. 53, s. 37 am.
 OPERATING ENGINEERS' ACT. 1932, c. 23.
 OPTOMETRY ACT. R.S.O. 1927, c. 215; 1931, c. 45 am.

P

PAPER MILLS. *See* Mills Licensing Act.
 PARENTS' MAINTENANCE ACT. R.S.O. 1927, c. 185; 1929, c. 46 am.
 PARKS. *See* Burlington Beach Act; Long Point Park Act; Niagara Parks Act; Presqu'île Park Act; Provincial Parks Act; Public Parks Act.
 PAROLE ACT. R.S.O. 1927, c. 362; 1929, c. 23, s. 18 am.
 PARTITION ACT. R.S.O. 1927, c. 142.
 PARTNERSHIP. *See* Limited Partnership Act; Partnership Act; Partnership Registration Act.
 PARTNERSHIP ACT. R.S.O. 1927, c. 170.
 PARTNERSHIP REGISTRATION ACT. R.S.O. 1927, c. 172.
 PATRICIA ACT. R.S.O. 1927, c. 5.
 PAWNBROKERS' ACT. R.S.O. 1927, c. 213.
 PERSONATION ACT. R.S.O. 1927, c. 9.
 PETTY TRESPASS ACT. R.S.O. 1927, c. 139.
 PHARMACY ACT. R.S.O. 1927, c. 199.
 PLANNING AND DEVELOPMENT ACT. R.S.O. 1927, c. 236; 1929, c. 61 am.; 1930, c. 21, s. 14 am.
 POLICE. *See* Constables Act; Dominion Commissioners of Police Act.
 POLICE MAGISTRATES. *See* Magistrates Act.
 POLITICAL CONTRIBUTIONS ACT. R.S.O. 1927, c. 10; 1929, c. 6 rep. and sup.
 POOL ROOMS. *See* Minors Protection Act.
 POUNDS ACT. R.S.O. 1927, c. 301.
 POWER. *See* Central Ontario Power Act; Lac Seul Conservation Act; Power Commission Act; Power Commission and Companies Transfer Act; Power Commission Insurance Act; Rural Power District Loans Act; Rural Power District Service Charge Act; Water Powers Regulation Act.
 POWER COMMISSION ACT. R.S.O. 1927, c. 57; 1928, c. 19, ss. 2-5 am., s. 6 aff.; 1929, c. 20 am., c. 21 aff., c. 23, s. 20 aff.; 1930, c. 12, ss. 2-11 am., s. 12 aff.; 1931, c. 13, ss. 2-9 am., ss. 10-14 aff.; 1932, c. 14 aff.
 POWER COMMISSION AND COMPANIES' TRANSFER ACT. 1929, c. 22; 1930, c. 16.
 POWER COMMISSION INSURANCE ACT. R.S.O. 1927, c. 60.
 POWERS OF ATTORNEY ACT. R.S.O. 1927, c. 135.
 PRESQU'ÎLE PARK ACT. R.S.O. 1927, c. 85; 1929, c. 28 am.
 PREVENTION OF ACCIDENTS BY FIRE IN HOTELS ACT. R.S.O. 1927, c. 286; 1929, c. 75, s. 3 rep.
 PRISONS AND PUBLIC CHARITIES INSPECTION ACT. R.S.O. 1927, c. 361; 1931, c. 80 rep. and sup.

- PRIVATE DETECTIVES ACT. R.S.O. 1927, c. 214; 1930, c. 36 am.
- PRIVATE FOREST RESERVES ACT. R.S.O. 1927, c. 290.
- PRIVATE HOSPITALS ACT. 1931, c. 77.
- PRIVATE SANITARIUM ACT. R.S.O. 1927, c. 355; 1931, c. 23, s. 28 am.
- PRIVY COUNCIL APPEALS ACT. R.S.O. 1927, c. 86.
- PROBATION ACT. R.S.O. 1927, c. 364; 1929, c. 88 am.
- PROFESSIONAL ENGINEERS ACT. R.S.O. 1927, c. 206.
- PROPERTY AND CIVIL RIGHTS ACT. R.S.O. 1927, c. 130.
- PROTECTION OF BIRDS ACT. R.S.O. 1927, c. 319.
- PROTECTION OF CATTLE ACT. R.S.O. 1927, c. 304; 1928, c. 50 am.
- PROVINCIAL AID TO DRAINAGE ACT. R.S.O. 1927, c. 63; 1929, c. 24 am.
- PROVINCIAL AUCTIONEERS' LICENSE ACT. R.S.O. 1927, c. 217.
- PROVINCIAL FORESTS ACT. 1929, c. 14, rep. and sub.; 1931, c. 23, s. 30 am.
- PROVINCIAL HIGHWAYS. *See* Highway Improvement Act.
- PROVINCIAL LAND TAX ACT. R.S.O. 1927, c. 30; 1928, c. 8 am.; 1930, c. 21, s. 4 am.
- PROVINCIAL LOANS. *See* Loans.
- PROVINCIAL LOANS ACT. R.S.O. 1927, c. 23.
- PROVINCIAL PARKS ACT. R.S.O. 1927, c. 82.
- PSYCHIATRIC HOSPITALS ACT. R.S.O. 1927, c. 354; 1931, c. 23, s. 27 am.
- PUBLIC AUTHORITIES PROTECTION ACT. R.S.O. 1927, c. 120.
- PUBLIC BUILDINGS. *See* Egress from Public Buildings.
- PUBLIC COMMERCIAL VEHICLE ACT. R.S.O. 1927, c. 253; 1930, c. 49 am.; 1932, c. 53, s. 28 (1, 2) am.
- PUBLIC HEALTH ACT. R.S.O. 1927, c. 262; 1928, c. 45 am.; 1930, c. 52 am.; 1931, c. 58 am.; 1932, c. 34, am.
- PUBLIC HOSPITALS ACT. 1931, c. 78; 1932, c. 53, s. 39 am.
- PUBLIC INQUIRIES ACT. R.S.O. 1927, c. 20.
- PUBLIC INSTITUTIONS INSPECTION ACT. 1931, c. 80.
- PUBLIC LANDS ACT. R.S.O. 1927, c. 35; 1928, c. 9 am.
- PUBLIC LIBRARIES ACT. R.S.O. 1927, c. 246; 1929, c. 66 am.; 1931, c. 71, s. 17 am.
- PUBLIC OFFICERS ACT. R.S.O. 1927, c. 17.
- PUBLIC OFFICERS FEES ACT. R.S.O. 1927, c. 19; 1929, c. 9 am.; 1931, c. 23, s. 1 am.
- PUBLIC AND OTHER WORKS WAGES ACT. R.S.O. 1927, c. 175.
- PUBLIC PARKS ACT. R.S.O. 1927, c. 248.
- PUBLIC REVENUE ACT. R.S.O. 1927, c. 24.
- PUBLIC SCHOOLS ACT. R.S.O. 1927, c. 323; 1928, c. 53, ss. 1, 2 am.; 1929, c. 84, ss. 2, 3, 4 am.; 1930, c. 63, ss. 3-11 am.; 1931, c. 71, ss. 2-7 am.; 1932, c. 42, ss. 2-7 (1) am., 8-14 am.
- PUBLIC SERVICE. *See* An Act for granting to His Majesty certain sums of Money for the Public Service; General Purchasing Agent's Act; Public Officers Fees Act; Public Service Act.
- PUBLIC SERVICE ACT. R.S.O. 1927, c. 16; 1928, c. 5 am.; 1929, c. 7 am.; 1931, c. 6 am.; 1932, c. 5 am.
- PUBLIC SERVICE WORKS ON HIGHWAYS ACT. R.S.O. 1927, c. 56; 1929, c. 19 am.
- PUBLIC TRUSTEE ACT. R.S.O. 1927, c. 151; 1930, c. 32 am.; 1931, c. 23, s. 8 am.
- PUBLIC UTILITIES ACT. R.S.O. 1927, c. 249; 1928, c. 41 am.; 1929, c. 67 am.; 1930, c. 21, s. 15 am.; 1931, c. 57 am.
- PUBLIC UTILITIES CORPORATIONS ACT. R.S.O. 1927, c. 228.
- PUBLIC WELFARE. *See* Department of Public Welfare Act.
- PUBLIC WORKS ACT. R.S.O. 1927, c. 52; 1932, c. 53, s. 4 am.
- PUBLIC VEHICLES ACT. R.S.O. 1927, c. 252; 1928, c. 43 am.
- PULP AND PULPWOOD. *See* Crown Timber Act; Mills Licensing Act; Pulpwood Conservation Act.
- PULPWOOD CONSERVATION ACT. 1929, c. 13.

R

- RACE TRACKS. *See* Corporations Tax Act.
- RADIUM ACT. R.S.O. 1927, c. 46.
- RAILWAY ACT. R.S.O. 1927, c. 224; 1930, c. 43 am.; 1932, c. 53, s. 25 am.
- RAILWAY FIRE CHARGE ACT. R.S.O. 1927, c. 292.
- RAILWAY AND MUNICIPAL BOARD ACT. R.S.O. 1927, c. 225; 1928, c. 21, s. 11 am.; 1929, c. 23, s. 12 am.; 1932, c. 27, s. 165 rep.
- RAILWAYS. *See* Guelph Railway Act; Hydro-Electric Railway Act; Municipal Electric Railway Act; Ontario Municipal Board Act; Railway Act; Railway Fire Charge Act; Sandwich, Windsor and Amherstburg Railway Act; Windsor, Essex and Lake Shore Rapid Railway Act.
- REAL ESTATE BROKERS ACT. 1930, c. 40.
- RECIPROCAL ENFORCEMENT OF JUDGMENTS ACT. 1929, c. 29.
- REFORESTATION. *See* Forestry Act.
- REFORMATORY ACT. R.S.O. 1927, c. 345; 1931, c. 23, s. 22 am.
- REGISTRATION. *See* Land Titles Act; Partnership Registration Act; Registration of Nurses Act; Registry Act; Vital Statistics Act.
- REGISTRATION OF NURSES ACT. R.S.O. 1927, c. 360; 1929, c. 87 am.
- REGISTRY ACT. R.S.O. 1927, c. 155; 1929, c. 43 am.; 1930, c. 34 am.; 1931, c. 23, s. 10 am.; 1932, c. 17 am.
- RELIGIOUS INSTITUTIONS ACT. R.S.O. 1927, c. 344.
- REPLEVIN ACT. R.S.O. 1927, c. 99.
- REPRESENTATION ACT. R.S.O. 1927, c. 6.
- RESEARCH FOUNDATION ACT. 1928, c. 57; 1929, c. 86 am.
- RETURNED SOLDIERS' AND SAILORS' LAND SETTLEMENT ACT. 1917, c. 13; 1918, c. 8, s. 2 aff.; 1919, c. 15 aff.; 1920, c. 16 am.; 1921, c. 18 aff.; 1926, c. 9, s. 2 aff.; c. 10, ss. 3, 6, 11 aff.; 1927, c. 13 aff.
- REVENUE. *See* An Act for granting to His Majesty certain sums of money for the Public Service; An Act for Raising Money on the Credit of the Consolidated Revenue Fund; Consolidated Revenue Fund Act; Public Revenue Act; Supplementary Revenue Act.
- REVISED STATUTES ACT. 1928, c. 2.
- RIVERS. *See* Beach Protection Act; Beaches and River Beds Act; Bed of Navigable Waters Act; Lakes and Rivers Improvement Act.
- ROADS. *See* Highway.
- ROYAL ONTARIO MUSEUM ACT. R.S.O. 1927, c. 343; 1928, c. 21, s. 23 aff.
- RURAL HYDRO-ELECTRIC DISTRIBUTION ACT. R.S.O. 1927, c. 59.
- RURAL POWER DISTRICT LOANS ACT. 1930, c. 14.
- RURAL POWER DISTRICT SERVICE CHARGE ACT. 1930, c. 15.

S

- SALE OF GOODS ACT. R.S.O. 1927, c. 163.
- SALES. *See* Alberta Coal Sales Act; Bread Sales Act; Bulk Sales Act; Conditional Sales Act; Fruit and Vegetables Consignment Act; Fruit Sales Act; Milk and Cream Act; Milk, Cheese and Butter Act; Sale of Goods Act; Tax Sales Confirmation Act.
- SANATORIA FOR CONSUMPTIVES ACT. R.S.O. 1927, c. 357; 1931, c. 76 rep. and sup.; 1932, c. 53, s. 38 am.
- SANDWICH, WINDSOR AND AMHERSTBURG RAILWAY ACT. 1930, c. 17; 1932, c. 53, s. 44 aff., c. 56 am.
- SAWLOGS. *See* Cullers' Act; Lakes and Rivers Improvement Act, Part VI.
- SAW MILLS. *See* Mills Licensing Act.
- SCHOOL ATTENDANCE ACT. R.S.O. 1927, c. 332; 1930, c. 63, ss. 23-28 am.; 1932, c. 42, ss. 20-23 am.
- SCHOOL LAW AMENDMENT ACT. 1928, c. 53; 1929, c. 84; 1930, c. 63; 1931, c. 71; 1932, c. 42.
- SCHOOLS SITES ACT. R.S.O. 1927, c. 335; 1928, c. 54 rep. and sup.; 1930, c. 63, s. 31 am.
- SCHOOL TRUST CONVEYANCES ACT. R.S.O. 1927, c. 336.
- SCHOOLS. *See* Education; Ontario Training Schools Act; School Sites Act; School Trust Conveyances Act.

- SCHOOLS FOR THE DEAF AND BLIND ACT. R.S.O. 1927, c. 330.
- SECURITIES ACT, 1930, c. 39; 1931, c. 48 am.
- SECURITY FRAUDS PREVENTION ACT. 1928, c. 34; 1929, c. 51 am.; 1930, c. 39 rep. and sup.; 1931, c. 48 am.; 1932, c. 53, s. 36 am.
- SEDUCTION ACT. R.S.O. 1927, c. 102.
- SEPARATE SCHOOLS ACT. R.S.O. 1927, c. 328; 1928, c. 53, s. 8 am.; 1930, c. 63, s. 20 am.
- SETTLED ESTATES ACT. R.S.O. 1927, c. 105.
- SHEEP. *See* Dog Tax and Sheep Protection Act.
- SHERIFF'S ACT. R.S.O. 1927, c. 18; 1929, c. 8 am.; 1930, c. 21, s. 1 am.
- SHORT FORMS OF CONVEYANCES ACT. R.S.O. 1927, c. 143.
- SHORT FORMS OF LEASES ACT. R.S.O. 1927, c. 144; 1929, c. 23, s. 7 am.
- SHORT FORMS OF MORTGAGES ACT. R.S.O. 1927, c. 145.
- SHOWS. *See* Theatres and Cinematographs Act; Travelling Shows Act.
- SILICOSIS ACT. 1929, c. 71; 1930, c. 59 am.
- SNOW ROADS AND FENCES ACT. R.S.O. 1927, c. 254.
- SOLDIERS. *See* Returned Soldiers' and Sailors' Land Settlement Act; Soldiers' Aid Commission Act.
- SOLDIERS' AID COMMISSION ACT. 1929, c. 4 rep. and sup.
- SOLICITORS ACT. R.S.O. 1927, c. 194.
- STALLION ACT. R.S.O. 1927, c. 303.
- STANDARD HOTEL REGISTRATION OF GUESTS' ACT. R.S.O. 1927, c. 258; 1929, c. 75, s. 3 rep.
- STATIONARY AND HOISTING ENGINEERS' ACT. R.S.O. 1927, c. 207; 1932, c. 23, s. 18 rep.
- STATUTE OF FRAUDS. R.S.O. 1927, c. 131; 1929, c. 23, s. 6 am.
- STATUTE LABOUR ACT. R.S.O. 1927, c. 239.
- STATUTE LAW AMENDMENT ACT. 1928, c. 21; 1929, c. 23; 1930, c. 21; 1931, c. 23; 1932, c. 53.
- STATUTES ACT. R.S.O. 1927, c. 2.
- STEAM BOILER ACT. R.S.O. 1927, c. 308; 1929, c. 80 am.; 1932, c. 39 am.
- STEAM THRESHING ENGINES ACT. R.S.O. 1927, c. 307.
- STENOGRAPHIC REPORTERS ACT. R.S.O. 1927, c. 204.
- SUBURBAN AREA DEVELOPMENT ACT. R.S.O. 1927, c. 237; 1929, c. 62 am.
- SUBURBAN AREAS. *See* Planning and Development Act; Suburban Area Development Act.
- SUCCESSION DUTY ACT. R.S.O. 1927, c. 26; 1928, c. 7 am.; 1929, c. 19 am.; 1931, c. 7 am; 1932, c. 6 am.
- SULPHUR FUMES. *See* Damage by Fumes Arbitration Act.
- SUMMARY CONVICTIONS ACT. R.S.O. 1927, c. 121; 1929, c. 37 am.; 1930, c. 21, s. 10 am.; 1931, c. 30 am.
- SUPERANNUATION. *See* Public Service Act, Part III; Teachers' and Inspectors' Superannuation Act.
- SUPPLEMENTARY REVENUE ACT. 1932, c. 10.
- SURROGATE COURTS ACT. R.S.O. 1927, c. 94; 1929, c. 23, s. 4 am.; 1930, c. 21, s. 8 am.; c. 25, s. 4 rep.
- SURVEYORS. *See* Land Surveyors' Act.
- SURVEYS ACT. R.S.O. 1927, c. 202; 1931, c. 42 am.

T

- TAXATION. *See* Amusements Tax Act; Assessment Act; Corporations Tax Act; Fuel Oil Tax Act; Gasoline Tax Act; Land Transfer Tax Act; Mining Tax Act; Mortgage Tax Act; Provincial Land Tax Act; Railway Fire Charge Act; Supplementary Revenue Act; Succession Duty Act; Tax Sales Confirmation Act.
- TAX SALES CONFIRMATION ACT. 1929, c. 64; 1931, c. 52.
- TEACHERS' AND INSPECTORS' SUPERANNUATION ACT. R.S.O. 1927, c. 331; 1929, c. 84, s. 13 am.; 1930, c. 63, ss. 21, 22 am.; 1932, c. 42, s. 19 am.
- TECHNICAL EDUCATION. *See* Vocational Education Act.
- TELEGRAPH COMPANIES ACT. R.S.O. 1927, c. 220.
- TELEPHONE ACT. R.S.O. 1927, c. 227; 1928, c. 21, s. 12 am.; 1931, c. 23, s. 19 am.; 1932, c. 27 am.

- TEMISKAMING AND NORTHERN ONTARIO RAILWAY ACT. R.S.O. 1927, c. 53.
 TERRITORIAL DIVISION ACT. R.S.O. 1927, c. 3.
 THEATRES AND CINEMATOGRAPHS ACT. R.S.O. 1927, c. 285; 1930, c. 58 am.; 1931, c. 61 am.; 1932, c. 53, s. 31 am.
 THRESHING MACHINES. *See* Steam Threshing Engines Act; Threshing Machines Act.
 THRESHING MACHINES ACT. R.S.O. 1927, c. 287.
 TICKET SPECULATION ACT. R.S.O. 1927, c. 273.
 TILE DRAINAGE ACT. R.S.O. 1927, c. 65; 1928, c. 21, s. 2 am.; 1929, c. 25 rep. and sup.; 1931, c. 16 am.
 TIMBER. *See* Crown Timber Act; Cullers' Act; Provincial Forests Act; Pulpwood Conservation Act; Forestry Act; Timber Cutting Regulation Act.
 TIMBER CUTTING REGULATION ACT. 1928, c. 15.
 TORONTO GENERAL HOSPITAL ACT. R.S.O. 1927, c. 358; 1928, c. 58 aff; 1931, c. 140 am.
 TOWN SITES ACT. R.S.O. 1927, c. 44.
 TRADE DISPUTES ACT. R.S.O. 1927, c. 178; 1932, c. 20, s. 5 rep.
 TRAINING SCHOOLS ACT. *See* Ontario Training Schools Act.
 TRANSFER OF PROPERTY. *See* Conveyancing and Law of Property Act; Investigation of Titles Act; Land Titles Act; Registry Act; Short Forms of Conveyances Act.
 TRANSPORTATION OF FOWL ACT. 1929, c. 79; 1932, c. 47 am.
 TRAVELLING SHOWS ACT. R.S.O. 1927, c. 256; 1930, c. 50 am.
 TREE PLANTING ACT. R.S.O. 1927, c. 255.
 TRUST CORPORATIONS ACT. *See* Loan and Trust Corporations Act.
 TRUSTEE ACT. R.S.O. 1927, c. 150; 1928, c. 23 am.; 1930, c. 31 am.; 1931, c. 23, s. 7 am.

U

- UNDERTAKERS. *See* Embalmers and Funeral Directors Act.
 UNEMPLOYMENT RELIEF ACT. 1931, c. 4; 1932, c. 4.
 UNIVERSITY ACT. R.S.O. 1927, c. 337; 1930, c. 63, ss. 29, 30 am.; 1932, c. 53, s. 43 aff.
 UNIVERSITY AVENUE EXTENSION ACT. 1928, c. 17; 1929, c. 23, s. 19 am.
 UNIVERSITY LANDS ACT. 1928, c. 55; 1929, c. 85 am.; 1930, c. 65 aff.
 UNIVERSITY OF WESTERN ONTARIO ACT. 1928, c. 56; 1932, c. 54 aff.
 UNWROUGHT METAL SALES ACT. R.S.O. 1927, c. 50.
 UPPER CANADA COLLEGE ACT. R.S.O. 1927, c. 338.

V

- VACANT LAND CULTIVATION ACT. R.S.O. 1927, c. 250.
 VACCINATION ACT. R.S.O. 1927, c. 263.
 VEGETABLES. *See* Fruit and Vegetables Consignment Act.
 VEHICLES. *See* Highway Traffic Act; Public Vehicle Act; Public Commercial Vehicle Act.
 VENDORS AND PURCHASERS ACT. R.S.O. 1927, c. 153.
 VENEREAL DISEASES PREVENTION ACT. R.S.O. 1927, c. 264.
 VETERANS' LAND GRANT ACT. 1901, c. 6; 1920, c. 15; 1922, c. 17 am.
 VETERINARY COLLEGE ACT. R.S.O. 1927, c. 340.
 VETERINARY SCIENCE PRACTICE ACT. R.S.O. 1927, c. 208; 1931, c. 44 rep. and sup.
 VEXATIOUS ACTIONS. *See* Public Authorities Protection Act; Vexatious Proceedings Act.
 VEXATIOUS PROCEEDINGS ACT. 1930, c. 24.
 VICIOUS DOGS ACT. 1931, c. 64.
 VITAL STATISTICS ACT. R.S.O. 1927, c. 78; 1929, c. 26 am.; 1930, c. 19 am.; 1931, c. 21 am.
 VOCATIONAL EDUCATION ACT. R.S.O. 1927, c. 334; 1929, c. 84, ss. 14, 15 am.; 1930, c. 64 rep. and sup.; 1931, c. 71, s. 15 am.
 VOTERS' LISTS ACT. R.S.O. 1927, c. 7; 1929, c. 23, s. 1 am.; 1932, c. 53, s. 1 am.

W

- WAGES. *See* Minimum Wage Act; Public and other Works Wages Act.
- WAGES ACT. R.S.O. 1927, c. 176.
- WAREHOUSEMEN'S LIEN ACT. R.S.O. 1927, c. 169.
- WATER POWERS REGULATION ACT. R.S.O. 1927, c. 58.
- WEED CONTROL ACT. R.S.O. 1927, c. 309; 1928, c. 51 am.
- WELL DRILLERS ACT. R.S.O. 1927, c. 48.
- WHARFS AND HARBOURS ACT. R.S.O. 1927, c. 221.
- WILLS ACT. R.S.O. 1927, c. 149.
- WINDSOR ESSEX AND LAKE SHORE RAPID RAILWAY ACT. 1929, c. 56, ss. 2-18 aff., s. 19 am.; 1930, c. 18, ss. 2-4 aff., s. 5 am., 1932, c. 99 aff.
- WITNESSES. *See* Evidence Act.
- WIVES. *See* Deserted Wives' and Children's Maintenance Act; Dependants' Relief Act; Dower Act.
- WOLF BOUNTY ACT. R.S.O. 1927, c. 320; 1928, c. 21, s. 13 am.; 1929, c. 83 am.; 1930, c. 21, s. 17 am.; 1931, c. 70 am.
- WOMEN. *See* Deserted Wives' and Children's Maintenance Act; Dower Act; Factory, Shop and Office Building Act; Female Patients and Prisoners Protection Act; Female Refuges Act; Minimum Wage Act; Mothers' Allowances Act.
- WOODMEN'S LIEN FOR WAGES ACT. R.S.O. 1927, c. 174.
- WORKMEN'S COMPENSATION ACT. R.S.O. 1927, c. 179; 1928, c. 26 am.; 1931, c. 37 am; 1932, c. 21, am.
- WORKMEN'S COMPENSATION INSURANCE ACT. R.S.O. 1927, c. 180.

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